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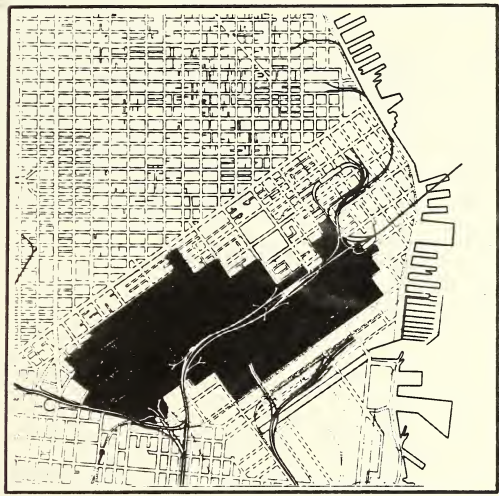
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■ SOUTH OF ■ SOUTH OF ■ MARKET ■ MARKET ■



ZONING CONTROLS PROPOSAL FOR ADOPTION With 12 Month Sunset Clause

SAN FRANCISCO DEPARTMENT OF CITY PLANNING

October 1988

SOUTH OF MARKET ZONING CONTROLS
PROPOSAL FOR ADOPTION
With a 12 Month Sunset Clause

A Proposed Ordinance of the
City and County of San Francisco

Department of City Planning

October 27, 1988

D REF 346.045 Sa52s

San Francisco (Calif.).
Dept. of City Planning.
South of Market zoning
controls : proposal for
1988.

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File _____

Ordinance _____

(South of Market Zoning Controls--Use, Height and Bulk Districts Property Description)

ADOPTING CHANGES IN PROPERTY USE AND HEIGHT AND BULK CLASSIFICATION BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR THE AREA GENERALLY BOUNDED BY MISSION STREET, DUBOCE AVENUE/ THIRTEENTH/ DIVISION STREET, TOWNSEND STREET AND FIRST STREET, EXCLUDING THE AREA OF YERBA BUENA CENTER, TO RECLASSIFY PORTIONS OF THE PROPERTY THEREIN FROM RH-2, RH-3, RM-2, RC-2, RC-3, C-3-G, C-3-S, C-M, M-1 AND M-2 TO EITHER RESIDENTIAL ENCLAVE DISTRICT (RED), SOUTH PARK DISTRICT (SPD), RESIDENTIAL/SERVICE DISTRICT (RSD), SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL DISTRICT (SLR), SERVICE/LIGHT INDUSTRIAL DISTRICT (SLI), SERVICE/SECONDARY OFFICE DISTRICT (SSO) OR PUBLIC DISTRICT (P), AND TO RECLASSIFY HEIGHT AND BULK DISTRICTS WITHIN THE SAME AREA FROM 40-X, 50-X, 80-E, 80-K, 88-K, 90-X, 105-F, 105-J, 105-K, 120-F, 130-F, 130-G, 130-L, 150-S, 160-F, 160-M and 180-S TO EITHER O.S., 40-X, 50-X, 65-U, 85-X, 40-X/85-B or 130-E.

Note: Where lot numbers are shown separated by a hyphen, the reference includes the first-numbered, last-numbered, and all intermediate numbered lots. Lots split between use districts and lots split between height and bulk districts are marked with an asterisk (*). These lots are listed and the zoning of each portion is indicated in Exhibits A and B in Board of Supervisors file _____.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The following changes in property use classification from RH-2, RH-3, RM-2, C-3-S, C-M and M-1 to RED are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco.

<u>Description of Property</u>		<u>Use Districts</u> to be <u>Superseded</u>	<u>Use District</u> to be <u>Approved</u>
<u>Assessor's Block/Lots</u>			
3511/	40, 42-44, 57-62, 64-66, 68, 68A, 68B, 69, 69A, 70, 71;	RH-2, RH-3, RM-2, C-3-S, C-M, M-1.	RED
3726/	26*, 36, 37, 37A, 38-47, 50-55, 57, 57A, 58-65, 67-80, 87-98;		
3727/	14*, 15*, 27-36, 38-41, 43-54, 56-60, 64, 65, 65A, 66, 67, 70, 72, 72A, 72C, 73-78, 83-86, 136;		
3730/	40A, 41-46, 53-58, 63-69, 84-87, 93-103;		
3731/	31*, 35*, 37*, 40*, 44, 46, 52-54, 54A, 55, 58, 60-62, 62A, 63, 66-70, 76-84, 86-89, 91-93, 102-105, 109, 110, 119, 124;		
3755/	89-93, 96, 102-105, 105A, 105B, 105C, 106-113, 135.		

*See Exhibit A in Board of Supervisors file _____.

Property Description

Section 2. The following changes in property use classifications from RC-2 to SPD are hereby adopted as amendments to Section Map 1 of the Zoning Map of the City and County of San Francisco.

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots</u>		
3775/ 26-33, 36-40, 42, 46-50, 53-70, 102.	RC-2	SPD

Section 3. The following changes in property use classification from RC-3, C-3-G, C-3-S and M-1 to RSD are hereby adopted as amendments to Section Map 1 of the Zoning Map of the City and County of San Francisco.

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots</u>		
Entire Blocks 3732, 3753;	RC-3, C-3-G, C-3-S, M-1.	RSD
3703/ 4-6, 25-29;		
3704/ 25, 26, 49-53;		
3725/ 5-9, 12, 14, 15, 17-21, 23-27, 29, 31, 33, 35, 60-64, 79, 81, 98;		
3726/ 1-11;		
3731/ 1, 2*, 3, 4*;		
3733/ 14, 16-20, 20A, 21, 22, 24-26, 28-31, 34, 91, 92;		
3752/ 14, 15, 17-19, 23, 24, 26-28, 32, 33, 36, 46, 51-54, 57, 58, 70, 72, 76, 78-81, 83, 89, 89A, 90-95, 100-105, 107.		

*See Exhibit A in Board of Supervisors file _____.

Section 4. The following changes in property use classification from RH-3, RM-2, RC-3, C-3-S, C-M, M-1 and M-2 to SLR are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
Entire Blocks 3516; 3517; 3518; 3519; 3520; 3521; 3522; 3728; 3729; 3756; 3509/ 2-5, 7, 8, 8A, 9-11, 14, 15, 15A, 15B, 15C, 20-27, 29, 31-35, 41; 3510/ 6-12, 14, 15, 18-21, 23-32, 34, 34A, 35, 37, 39, 43, 44, 55, 56, 58, 60; 3511/ 6, 9, 10, 12-17, 17A, 18-22, 46-56; 3726/ 12, 13, 15, 17-22, 24, 25, 26*, 27-35, 100, 101, 103, 105-114, 117; 3727/ 1, 2, 4-10, 12, 14*, 15*, 16, 18, 19, 21, 22, 24, 26, 61- 63, 89, 91, 94-98, 101-103, 108, 109, 113, 114, 117, 118, 120, 125, 130, 134, 135; 3730/ 1-4, 6-11, 13-15, 18, 19, 23-32, 34-40, 48, 49, 51, 59-61, 70, 72, 75, 77, 78, 80, 82, 88-90, 104, 105, 106, 108, 109, 111, 117-120, 122, 123; 3731/ 2*, 4*, 15, 18-21, 23, 24, 26, 27, 30, 31*, 33, 35*, 37*, 40*, 41, 42, 43, 71-74, 94, 95, 99, 101, 113, 115-117, 122, 125; 3754/ 1-3, 5-8, 15, 17, 18, 26-31, 34, 38-43, 45, 46, 48, 49, 57, 58, 59, 62-67; 3755/ 3-5, 10, 12-19, 21-24, 27, 29, 33, 34, 41, 44, 49, 50, 52-54, 56, 65-68, 71-81, 83-88, 97-101, 117, 130-132, 134, 136, 137.	RH-3, RM-2, RC-3, C-3-S, C-M, M-1, M-2.	SLR

*See Exhibit A in Board of Supervisors file _____.

Property Description

Section 5. The following changes in property use classification from RH-3, RM-2, RC-2, C-3-S, C-M, M-1 and M-2 to SLI are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco:

Description of Property

Use Districts
to be
Superseded

Use District
to be
Approved

Assessor's Block/Lots:

Entire Blocks 3523, 3524, 3525, 3757,
3776, 3778, 3779;

RH-3, RM-2, RC-2,
C-3-S, C-M, M-1, M-2.

SLI

Entire Block 3777, excluding lot 52

3526/ 198;

3528/ 1, 7, 11, 12;

3758/ 44-47, 121, 131;

3759/ 1, 2, 9-12, 14, 43, 45;

3760/ 1, 2, 11-17, 19-22, 24-26,
26A, 27, 28, 35, 55, 59, 71,
81, 83, 100, 105-108, 111, 112,
114, 119, 121-123, 125-131;

3761/ 2, 5C, 6, 7, 64;

3762/ 1, 3, 7-9, 11, 12, 14, 16-19,
21, 23-26, 32, 36, 37, 40,

41, 43, 46, 48-50, 53-55, 58,
106, 108, 109, 112, 113, 116-119,
121-124;

3763/ 15A, 15C, 16-25;

3775/ 16-18, 20-23, 25, 71-73, 75,

77-81, 83-86;

3780/ 1, 2, 4C, 7C, 8, 23, 28, 30,

32-34, 44, 63-66, 69, 70;

3784/ 7, 8, 10, 13-15, 17, 18, 22, 23,

23A, 24, 25, 27, 31, 32, 35,

40, 41, 44, 47A, 49, 50, 52,

54, 71, 76, 77, 80, 82, 85-91;

3785/ 1, 2A, 4, 4A, 4B, 5, 7-9, 16-18, 20-24;

3787/ 1-5, 7-19, 21-23, 26-28, 32, 33

26, 37, 39, 40, 40A, 44, 48-52;

3788/ 10, 11A, 12-15, 18-24, 24A, 25, 41.

Section 6. The following changes in property use classification from RC-2, M-1 and M-2 to SSO are hereby adopted as amendments to Section Map 1 of the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
Entire Block 3786, excluding lot 39	RC-2, M-1,	SSO
3749/ 62;	M-2.	
3750/ 2, 3, 8, 73;		
3763/ 1, 6-9, 11-15, 15B, 32-34, 36, 37, 105, 113;		
3764/ 14, 61, 69, 70;		
3774/ * 4-8, 13, 15, 25, 26, 31, 44, 45, 48, 63-65, 67, 68, 70-74;		
3775/ 1, 2, 4, 5, 7, 8, 12, 15, 87, 89, 91-97, 99-101;		
3785/ 2, 3;		
3787/ 29, 31;		
3788/ 2, 2A, 6, 8, 9, 9A, 37-39, 42-44;		
3789/ 4, 5, 7-9.		

Section 7. The following changes in property use classification from RC-3, M-1 and M-2 to P are hereby adopted as amendments to Section Maps 1, 7 and 8 of the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Use Districts to be Superseded</u>	<u>Use District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
3526/ 1, 17;	RC-3, M-1, M-2.	P
3528/ 3;		
3731/ 10-12, 111;		
3749/ 52;		
3758/ 126-130;		
3759/ 38, 40-42;		
3760/ 116, 117, 120, 124;		
3761/ 62, 63;		
3762/ 4;		
3763/ 112;		
3764/ 58, 67, 68;		
3784/ 1, 3, 72, 75, 78, 79, 81.		

Property Description

Section 8. The following changes in height and bulk districts to a 40-X height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
<p>Entire Block 3775 except 103;</p> <p>3511/ 40, 42-44, 57-62, 64-66, 68, 68A, 68B, 69, 69A, 70, 71;</p> <p>3726/ 26*, 36, 37, 37A, 38-47, 50-55, 57, 57A, 58-65, 67-80, 87-98;</p> <p>3727/ 14*, 15*, 27-36, 38-41, 43-54, 56-60, 64, 65, 65A, 66, 67, 70, 72, 72A, 72C, 73-78, 83-86, 136;</p> <p>3730/ 40A, 41-46, 53-58, 63-69, 84-87, 93-103;</p> <p>3731/ 3, 4, 15, 18-21, 23, 24, 26, 27, 31*, 35*, 37*, 40*, 44, 46, 52-54, 54A, 55, 58, 60-62, 62A, 63, 66-70, 76-84, 86-89, 91-93, 102-105, 109, 110, 113, 119, 124;</p> <p>3732/ 30-33, 74, 76, 78-81, 119*;</p> <p>3753/ 122;</p> <p>3754/ 1, 2, 15, 40-43, 45, 46, 48, 49, 57, 58, 59, 64; 27, 29, 33, 34, 41, 44, 49, 50, 49, 57, 58, 59, 64;</p> <p>3755/ 27, 29, 33, 34, 41, 44, 49, 50, 52-54, 56*, 65, 66, 89-93, 96, 102-105, 105A, 105B, 105C, 106-113, 135, 136, 137;</p> <p>3756/ 2, 4-6, 8-11, 15, 19-23, 24*, 25-28, 30-32, 36*, 37*, 41*.</p>	<p>50-X, 80-E, 88-K, 120-F, 130-F, 130-L, 160-M.</p>	40-X

*See Exhibit B in Board of Supervisors file _____.

Section 9. The following changes in height and bulk districts to a 50-X height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk District to be Approved</u>
<u>Assessor's Block/Lots:</u>		
Entire Blocks 3516; 3517; 3518; 3519;	40-X,	50-X
3520; 3521; 3522, 3523, 3729; 3776; 3777;	80-E,	
3778; 3779; 3788;	80-K,	
3509/ 2-5, 7, 8, 8A, 9-11, 14, 15, 15A,	88-K,	
15B, 15C, 20-27, 29, 31-35, 41;	105-F,	
3510/ 6-12, 14, 15, 18-21, 23-32, 34, 34A,	105-J,	
35, 37, 39, 43, 44, 55, 56, 58, 60;	105-K,	
3511/ 6, 9, 10, 12-17, 17A, 18-22, 46-56;	120-F,	
3726/ 12, 13, 15, 17-22, 24, 25, 26*, 27-35,	130-G,	
114, 117;	130-L,	
3727/ 2, 4-10, 12, 14*, 15*, 16, 18, 19,	160-M.	
21, 22, 24, 26, 61-63;		
3728/ 5-9, 11, 13, 14, 16-19, 24-29, 32,		
34-62, 86-88;		
3730/ 1-4, 6-11, 13-15, 18, 19, 23-25,		
26-32, 34-40, 48, 49, 51, 59-61, 70,		
72, 75, 77, 78, 80, 82, 88-90,		
104-106, 108, 109, 111, 117-120,		
122, 123;		
3731/ 1, 2, 30, 31*, 33, 35*, 37*, 40*,		
41-43, 71-74, 94, 95, 99, 101,		
115-117, 122, 125;		
3754/ 3, 5-8, 17, 18, 26-31, 34, 38, 39,		
62, 63, 65-67;		
3755/ 3-5, 10, 12-19, 21-24, 56*, 67, 68		
71-81, 83-88, 97-101, 117, 130-132,		
134;		
3756/ 1, 24*, 33, 34, 36*, 37*, 38, 39,		
41*, 42-47;		
3759/ 42;		
3764/ 14, 58, 61, 67-70;		
3774/ 4-8, 13, 15, 25, 26, 31, 44, 45,		
48, 63-65, 67, 68, 70-74;		
3787/ 1-5, 7, 29, 31-33, 36, 37, 39, 48, 49;		
3789/ 4, 5, 7-9.		

*See Exhibit B in Board of Supervisors file _____

Property Description

Section 10. The following changes in height and bulk districts to a 65-U height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	<u>Height and</u> <u>Bulk Districts</u> <u>to be</u> <u>Superseded</u>	<u>Height and</u> <u>Bulk District</u> <u>to be</u> <u>Approved</u>
3726/ 100, 101, 103, 105-113;	50-X,	65-U
3727/ 1, 89, 91, 94-98, 101-103, 108,	90-X,	
109, 113, 114, 117, 118, 120, 125,	105-F,	
130, 134, 135;	120-F,	
3728/ 1, 2, 68, 69, 72, 74-76, 81-83, 89;	150-S,	
3784/ 7, 8, 79, 80, 85-88;	160-M,	
	180-S.	
3785/ 2, 2A, 3, 4, 4A, 4B, 5, 7, 22-24;		
3786/ 8, 9, 13, 14, 14B, 15-19, 19A, 20, 37;		
3787/ 8-19, 21-23, 26-28, 40, 40A, 44,		
46, 50-52.		

Section 11. The following changes in height and bulk districts to a 85-X height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	<u>Height and</u> <u>Bulk Districts</u> <u>to be</u> <u>Superseded</u>	<u>Height and</u> <u>Bulk District</u> <u>to be</u> <u>Approved</u>
3703/ 4-6, 25-29;	50-X,	85-X
3704/ 25, 26, 49-53,	80-E,	
3725/ 25, 26, 60-64, 79, 81;	120-F,	
3726/ 1-4, 5-11;	160-F.	
3732/ 122-124.		

Section 12. The following changes in height and bulk districts to a 40-X/85-B height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	Height and Bulk Districts to be <u>Superseded</u>	Height and Bulk District to be <u>Approved</u>
Entire Block 3753, except Lot 122;		
3725/ 5-9, 12, 14, 15, 17-21, 23, 24, 27, 29, 31, 33, 35, 98;	50-X, 80-E,	40-X/85-B
3732/ 3-5, 8, 9, 18, 23-26, 28, 29, 35-37, 40, 44, 45, 48, 62, 64, 66-68, 70, 71, 73, 82-85, 87-90, 90A, 91, 92, 94-97, 99-103, 106-112, 114-119*, 125-127, 129, 130, 137-140, 143, 145A, 146, 147, 149, 150-152;	88-K, 130-F, 130-L.	
3733/ 14, 16, 17-20, 20A, 21, 22, 24-26, 28-31, 34, 91, 92;		
3752/ 12, 14, 15, 17-19, 23, 24, 26-28, 32, 33, 36, 46, 51-54, 57, 58, 70, 72, 76, 78-81, 83, 89, 89A, 90-95, 100-105, 107.		

Section 13. The following changes in height and bulk districts to a 130-E height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	Height and Bulk District to be <u>Superseded</u>	Height and Bulk District to be <u>Approved</u>
3749/ 52, 62;	105-F,	130-E
3750/ 2, 3.	130-G.	

Section 14. The following changes in height and bulk districts to an OS height and bulk district are hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u> <u>Assessor's Block/Lots:</u>	Height and Bulk District to be <u>Superseded</u>	Height and Bulk District to be <u>Approved</u>
3730/ 91;	50-X,	OS
3731/ 10, 11, 12, 111.	130-L.	

EXHIBIT A

SOUTH OF MARKET USE DISTRICT SPLIT LOTS
 LOT DIMENSIONS ARE LISTED IN FEET


BLOCK	LOT	HEIGHT AND BULK DISTRICT	FRONTAGE STREET	FRONTAGE DIMENSION	LOT DEPTH IN HEIGHT AND BULK DISTRICT
3726	26	SLR	HOWARD	50.417	90
3726	26	RED	NATOMA	50.417	75
3727	14	SLR	HOWARD	50	90
3727	14	RED	NATOMA	50	75
3727	15	RED	NATOMA	25	75
3727	15	SLR	HOWARD	25	90
3731	2	RSD	6TH	25	80
3731	2	SLR	HARRIET	25	75
3731	4	RSD	6TH	50	80
3731	4	SLR	HARRIET	75	75
3731	31	SLR	7TH	75	80
3731	31	RED	MOSS	25	80
3731	35	RED	MOSS	24	80
3731	35	SLR	7TH	48	80
3731	37	RED	MOSS	100	75
3731	37	SLR	7TH	125	90
3731	40	RED	MOSS	25	75
3731	40	SLR	7TH	25	90

EXHIBIT BSPLIT LOTS IN SOUTH OF MARKET HEIGHT AND BULK DISTRICTS
(LOT DIMENSIONS ARE LISTED IN FEET)

BLOCK	LOT	HEIGHT AND BULK DISTRICT	FRONTAGE STREET	FRONTAGE DIMENSION	LOT DEPTH IN HEIGHT AND BULK DISTRICT
3726	26	50-X	HOWARD	50.417	90
3726	26	40-X	NATOMA	50.417	75
3727	14	50-X	HOWARD	50	90
3727	14	40-X	NATOMA	50	75
3727	15	40-X	NATOMA	25	75
3727	15	50-X	HOWARD	25	90
3731	31	50-X	7TH	75	80
3731	31	40-X	MOSS	25	80
3731	35	40-X	MOSS	24	80
3731	35	50-X	7TH	48	80
3731	37	40-X	MOSS	100	75
3731	37	50-X	7TH	125	90
3731	40	40-X	MOSS	25	75
3731	40	50-X	7TH	25	90
3732	119	40-X/85-B	HOWARD	50	80
3732	119	40-X	TEHAMA	75	75
3755	56	50-X	FOLSOM	107.5	90
3755	56	40-X	ROGERS	135	182.5
3756	24	50-X	FOLSOM	25	90
3756	24	40-X	RINGOLD	25	75
3756	36	50-X	FOLSOM	60	90
3756	36	40-X	RINGOLD	12.6	75
3756	37	50-X	FOLSOM	60	90
3756	37	40-X	RINGOLD	12.6	75
3756	41	50-X	FOLSOM	50	90
3756	41	40-X	RINGOLD	50	75

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By 
Deputy City Attorney

File _____

Ordinance _____

(South of Market 12 Month Zoning Controls)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADOPTING FINDINGS CONCERNING PRIORITY POLICIES; AMENDING EXISTING SECTIONS 102.5 AND 102.9; ADDING A NEW SECTION 102.17, RENUMBERING EXISTING SECTIONS 102.17 THROUGH 102.27, AND, WHERE THOSE SECTIONS ARE CROSS-REFERENCED IN OTHER CODE SECTIONS, RESTATING THE CROSS-REFERENCES; ADDING SECTIONS 135.3, 205.3, 263.11, 803.3, 803.4, 803.5, 813, 814, 815, 816, 817, 818, 819, 820, 890.7, 890.9, 890.11, 890.12, 890.19, 890.23, 890.25, 890.38, 890.55, 890.69, 890.111, 890.131, 890.132 AND 899.1; RENUMBERING EXISTING SECTIONS 152.5, 890.12, 890.19, 890.20 AND 890.26; DELETING SECTIONS 246 AND 249; AND AMENDING SECTIONS 124, 128, 134, 135, 136, 140, 141, 143, 147, 151, 152, 152.5, 153, 154, 155, 156, 161, 163, 172, 178, 180, 181, 182, 185, 186, 201, 202, 204.4, 205, 206, 207, 207.1, 207.5, 208, 209.3, 210, 217, 221, 233, 234.2, 260, 270, 301, 303, 306.2, 307, 316, 316.2, 603, 606, 607.2, 608.1, 790, 790.56, 801, 802.1, 802.2, 803, 803.1, 803.2, 809, 810, 811, 812, 890, 890.8, 890.10, 890.37, 890.54, 890.56, 890.106, 890.108, 890.110, 890.112, 890.114, 890.116, 890.124 AND 899; TO CREATE NEW ZONING DISTRICTS CALLED THE RESIDENTIAL ENCLAVE DISTRICT, THE SOUTH PARK DISTRICT, THE RESIDENTIAL/SERVICE MIXED USE DISTRICT, THE SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT, THE SERVICE/LIGHT INDUSTRIAL DISTRICT AND THE SERVICE/SECONDARY OFFICE DISTRICT; IDENTIFY A SOUTH OF MARKET BASE DISTRICT AND AN EXTENDED PRESERVATION DISTRICT; DEFINE SOUTH OF MARKET USE CATEGORIES, MODIFYING IN PART THE MIXED USE CATEGORIES EFFECTIVE IN CHINATOWN DISTRICTS; SET FORTH THE PERMITTED, CONDITIONAL, ACCESSORY, TEMPORARY AND PROHIBITED USES AND OTHER LIMITS AND REQUIREMENTS, INCLUDING PARKING AND OPEN SPACE REQUIREMENTS, IN SOUTH OF MARKET DISTRICTS; CREATE A NEW USE CATEGORY CALLED NIGHTTIME ENTERTAINMENT USES; ESTABLISH NEW REGULATIONS FOR NONCONFORMING NIGHTTIME ENTERTAINMENT USES; LIMIT THE DEMOLITION OR CONVERSION OF SOUTH OF MARKET GROUP HOUSING AND DWELLING UNITS TO NON-RESIDENTIAL USE; PROHIBIT THE CONVERSION OF GROUP HOUSING OR DWELLING UNITS TO LIVE/WORK USE WITHIN SOUTH OF MARKET DISTRICTS; EXEMPT LIVE/WORK UNITS, CHILD CARE FACILITIES AND CULTURAL FACILITIES FROM FLOOR AREA LIMITS IN SOUTH OF MARKET DISTRICTS AND PROVIDE RELATED, ADDITIONAL ENFORCEMENT PROVISIONS; ESTABLISH FREIGHT LOADING AND OTHER STANDARDS, WITH EXCEPTIONS, FOR NIGHTTIME ENTERTAINMENT USES; ESTABLISH FREIGHT LOADING REQUIREMENTS FOR LIVE/WORK USE IN SOUTH OF MARKET DISTRICTS; ALLOW A GREATER HEIGHT LIMIT, SUBJECT TO CONDITIONS, FOR AFFORDABLE HOUSING AND LIVE/WORK UNITS IN ONE SOUTH OF MARKET SUB-DISTRICT; ALLOW DWELLING UNITS AFFORDABLE TO LOW-INCOME HOUSEHOLDS AS A CONDITIONAL USE IN ONE SOUTH OF MARKET SUB-DISTRICT; ESTABLISH PROCEDURES FOR ADMINISTRATIVE REVIEW AND MODIFICATION OF CERTAIN REQUIREMENTS BY THE ZONING ADMINISTRATOR; ESTABLISH PROCEDURES FOR CONSENT CALENDAR APPROVAL OR DISAPPROVAL BY THE CITY PLANNING COMMISSION FOR CONDITIONAL USE APPLICATIONS IN SOUTH OF MARKET DISTRICTS; REQUIRE TRANSPORTATION PROGRAMS FOR OFFICE USES IN SOUTH OF MARKET DISTRICTS; ALLOW PARTICIPATION IN A PARKING MANAGEMENT PROGRAM FOR CERTAIN SOUTH OF MARKET USES AS A MEANS OF SATISFYING AN OFF-STREET PARKING REQUIREMENT; MODIFY CERTAIN NONCONFORMING USE PROVISIONS WITH RESPECT TO SPECIFIED USES IN SOUTH OF MARKET DISTRICTS; ALLOW ADDITIONAL TEMPORARY USES IN SOUTH OF MARKET

DISTRICTS; REQUIRE SCREENING OF ROOFTOP PARKING FACILITIES; ESTABLISH OFF-STREET PARKING STANDARDS FOR BARS, ARCHITECTS, ENGINEERS AND OTHER DESIGN PROFESSIONALS; SPECIFY THE METHOD OF CALCULATING PARKING REQUIREMENTS FOR MULTI-USE BUILDINGS; ALLOW FOR SEISMIC SAFETY UPGRADING IN NONCONFORMING USE STRUCTURES WITHOUT REGARD TO COST; SPECIFY SOCIAL SERVICES AS A USE CATEGORY; EXEMPT CERTAIN INFORMATIONAL SIGNS AND SOUTH OF MARKET MURALS FROM SIGN CONTROLS; REPEAL EXPIRED SOUTH OF MARKET AND MID-MARKET SPECIAL USE DISTRICTS; ESTABLISH REGULATIONS FOR SIGNS IN SOUTH OF MARKET DISTRICTS; REGULATE PREVIOUSLY DESIGNATED SIGNIFICANT AND CONTRIBUTORY BUILDINGS IN ONE SOUTH OF MARKET DISTRICT; AND TO PROVIDE FOR REPEAL OF THE ABOVE AMENDMENTS, EXCEPT FOR CERTAIN CORRECTIONS IN CROSS-REFERENCES, TWELVE MONTHS AFTER THEY BECOME EFFECTIVE.

NOTE: Only those sections being added, deleted, or modified are included herein. Additions are indicated by underlining, except for Sections 813 through 820, which are entirely new but which are not underlined. Deletions are noted by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The amendments made by Section 2 below are consistent with the eight priority policies of Section 101.1 of the City Planning Code. The findings of consistency with Section 101.1 of the City Planning Code are described below.

Priority Policy 1 of Section 101.1 of the City Planning Code states: "That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses (be) enhanced."

The proposed legislation is not expected to adversely affect neighborhood-serving retail activities as such activities remain principal permitted uses, and in some cases are encouraged to locate in commercial districts through relaxation in parking requirements and exemption from floor area ratio limitations.

Priority Policy 2 of Section 101.1 of the City Planning Code states: "That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods."

The proposed legislation addresses this policy by creating residentially-zoned districts where existing housing is clustered along side streets; by protecting existing housing from conversion to non-residential use or demolition; by discouraging high-intensity commercial or residential development in areas of high concentration of low scale, low-income affordable housing or industrial activity; by limiting, through the conditional use process, the construction of new dwelling units or group housing in areas of heavy industrial concentrations; by facilitating the legalization of artist live/work units; and by encouraging the development of neighborhood-serving retail, cultural and social service activities.

Priority Policy 3 of Section 101.1 of the City Planning Code states:
"That the City's supply of affordable housing be preserved and enhanced."

The proposed legislation would address Priority Policy 3 in three ways:

- (1) The legislation would protect existing housing by requiring conditional use authorization for demolition or conversion of existing dwelling units. Dwelling units or group housing units could not convert to live/work use. Existing housing is the most affordable housing in the City and the South of Market contains a large supply of the City's most affordable housing. The proposed legislation encourages the development of small scale, affordable in-fill housing by relaxing density, rear yard, open space and parking requirements.
- (2) The legislation would facilitate the legalization of affordable housing for artists, craftpersons and, in some cases, other similarly situated individuals and small businesspersons who share specific and extraordinary space needs by providing very flexible density, open space, parking and freight loading standards for live/work units in non-residential structures which effectively make this occupancy an attractive and affordable use for underused, upper level commercial/industrial spaces. The proposed legislation, along with Building Code standards for live/work occupancies, is expected to make live/work units one of the highest and best uses for these upper level loft spaces. To the degree that the legislation encourages the conversion of additional loft spaces to live/work use, the legislation will enhance the supply of affordable housing for these households with specific and unique space needs.
- (3) To the degree that new live/work units are created as a result of the proposed legislation and the existing demand for such units by persons now residing in dwelling units in the City is satisfied, the legislation would likely result in an increase in the available supply of dwelling units for households who do not share the particular space needs of artists and other similar tenants. An increase in the available supply of existing (traditional) housing has the effect of stabilizing rental rates for housing throughout the City.
- (4) The legislation allows housing priced affordable to low-income households in the SLI District. Dwelling units would be permitted as a conditional use and would be permitted only if the units were priced affordable to households whose incomes are no greater than 80% of the median income for households in San Francisco.

Priority Policy 4 of Section 101.1 of the City Planning Code states:
"That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking."

The proposed legislation will minimize commuter traffic by limiting higher intensity commercial activity, such as office and hotel uses; encourages the expansion of transit use; encourages non-peak hour industrial, cultural and nighttime entertainment activities; and encourages the reduction of commuter traffic by combining live and work activities within the same space.

Priority Policy 5 of Section 101.1 of the City Planning Code states: "That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced."

The proposed legislation specifically addresses this policy by prohibiting new office use throughout most of the South of Market. New office development would be limited to a small area along the Second and Townsend Street corridor that already contains a significant amount of office or retail use. Any individual projects which propose a change of use will be subject to review under Section 101.1 of the Planning Code when they seek building permits. Light industrial, service, general commercial and arts activities are permitted as principal permitted uses throughout the SOM except within the predominantly residential enclaves along a number of side streets. Small scale industrial, service, retail and cultural spaces are protected by reduction in Floor Area Ratio limits and height limits. These small spaces are ideal for small, start-up businesses that tend to hire local residents or are occupied by local entrepreneurs.

Priority Policy 6 of Section 101.1 of the City Planning Code states: "That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake."

The San Francisco Building Code establishes life safety standards for industrial, service, residential, commercial, public assembly and live/work quarters occupancy permits. As buildings change occupancy, the change of use generally triggers the Building Code's seismic upgrading requirements. Over time, most existing South of Market buildings are expected to be brought up to current seismic safety standards through changes of use. The proposed legislation would allow additional structures occupied by nonconforming uses to be brought up to current seismic safety standards without losing nonconforming use status. The proposed legislation allows relief from use and/or parking restrictions for most architecturally significant brick (unreinforced masonry) buildings which would encourage their retention and upgrading to current seismic safety standards. Other than these measures, the legislation does not directly address the issue of earthquake preparedness and defers this issue to the Building Code.

Priority Policy 7 of Section 101.1 of the City Planning Code states: "That landmarks and historic buildings be preserved".

The proposed legislation provides relief from parking requirements and, with conditional use authorization, could allow a wide range of uses for designated landmark buildings, significant buildings, and contributory buildings within a designated historic district. These measures are expected to facilitate the preservation and rehabilitation of these buildings, including their seismic safety upgrading.

Priority Policy 8 of Section 101.1 of the City Planning Code states: "That our parks and open space and their access to sunlight and vistas be protected from development."

The proposed legislation protects existing public open space and park resources and vistas and sunlight access to these resources. In addition, it requires publicly-accessible open space development for all new commercial and industrial development. It requires usable open space for all residential and live/work construction. It protects sunlight access to the open space within the publicly-subsidized senior housing developments within the RSD District. It protects view corridors which represent open space for SOM residents and workers and protects views of the cityscape and beyond from the elevated freeway.

Section 2. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending existing Sections 102.5 and 102.9; adding a new Section 102.17, renumbering existing Sections 102.17 through 102.27, and, where those sections are cross-referenced in other Code sections, restating the cross-references; adding Sections 135.3, 205.3, 263.11, 803.3, 803.4, 803.5, 813, 814, 815, 816, 817, 818, 819, 820, 890.7, 890.9, 890.11, 890.12, 890.19, 890.23, 890.25, 890.38, 890.55, 890.69, 890.111, 890.131, 890.132 and 899.1; renumbering existing Sections 152.5, 890.12, 890.19, 890.20 and 890.26; deleting Sections 246 and 249; and amending Sections 124, 128, 134, 135, 136, 140, 141, 143, 147, 151, 152, 152.5, 153, 154, 155, 156, 161, 163, 172, 178, 180, 181, 182, 185, 186, 201, 202, 204.4, 205, 206, 207, 207.1, 207.5, 208, 209.3, 210, 217, 221, 233, 234.2, 260, 270, 301, 303, 306.2, 307, 316, 316.2, 603, 606, 607.2, 608.1, 790, 790.56, 801, 802.1, 802.2, 803, 803.1, 803.2, 809, 810, 811, 812, 890, 890.8, 890.10, 890.37, 890.54, 890.56, 890.106, 890.108, 890.110, 890.112, 890.114, 890.116, 890.124 and 899 as follows:

[Sections 101 through 102.4 are unchanged.]

SEC. 102.5. DISTRICT. A portion of the territory of the City, as shown on the Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of this Code. The term "district" shall include any use, special use, height and bulk, or special sign district. The term "R District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, RC-1, RC-2, RC-3, ((or))RC-4, or RED District. The term "C District" shall mean any C-1, C-2, C-3, or C-M District. The term "M District" shall mean any M-1 or M-2 District. The term "RH District" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 District. The term "RM District" shall mean any RM-1, RM-2, RM-3, or RM-4 District. The term "RC District" shall mean any RC-1, RC-2, RC-3, or RC-4 District. The term "C-3 District" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S District. For the purposes of Section 128 and Article 11 of this Code, the term "C-3 District" shall also include the Extended Preservation District designated on Sectional Map 35U of the Zoning Map. The term "NC District" shall mean any

NC-1, NC-2, NC-3, NC-S, and any Neighborhood Commercial District identified by street or area name in Section 702.1. The term "Mixed Use District" shall mean any Chinatown CB, Chinatown VR, Chinatown R/NC, or South of Market RSD, SPD, SLR, SLI or SSO District named in Section 802.1. The term "South of Market Districts" shall refer to all RED, RSD, SPD, SLR, SLI or SSO Districts contained entirely within the area designated as the South of Market Base District shown on Sectional Map 3SU of the Zoning Map.

[Sections 102.6 through 102.8 are unchanged.]

SEC. 102.9. FLOOR AREA, GROSS. In districts other than C-3, the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. Where columns are outside and separated from an exterior wall (curtain wall) which encloses the building space or are otherwise so arranged that the curtain wall is clearly separate from the structural members, the exterior face of the curtain wall shall be the line of measurement, and the area of the columns themselves at each floor shall also be counted.

In C-3 Districts, the sum of the gross areas of the several floors of a building or buildings, measured along the glass line at windows at a height of four feet above the finished floor and along a projected straight line parallel to the overall building wall plane connecting the ends of individual windows; provided, however, that such line shall not be inward of the interior face of the wall.

(a) Except as specifically excluded in this definition, "gross floor area" shall include, although not be limited to, the following:

(1) Basement and cellar space, including tenants' storage areas and all other space except that used only for storage or services necessary to the operation or maintenance of the building itself;

(2) Elevator shafts, stairwells, exit enclosures and smokeproof enclosures, at each floor;

(3) Floor space in penthouses except as specifically excluded in this definition;

(4) Attic space (whether or not a floor has been laid) capable of being made into habitable space;

(5) Floor space in balconies or mezzanines in the interior of the building;

(6) Floor space in open or roofed porches, arcades or exterior balconies, if such porch, arcade or balcony is located above the ground floor or first floor of occupancy above basement or garage and is used as the primary access to the interior space it serves;

(7) Floor space in accessory buildings, except for floor spaces used for accessory off-street parking or loading spaces as described in Section 204.5 of this Code, and driveways and maneuvering areas incidental thereto; and

(8) Any other floor space not specifically excluded in this definition.

(b) "Gross floor area" shall not include the following:

(1) Basement and cellar space used only for storage or services necessary to the operation or maintenance of the building itself;

(2) Attic space not capable of being made into habitable space;

(3) Elevator or stair penthouses, accessory water tanks or cooling towers, and other mechanical equipment, appurtenances and areas necessary to the operation or maintenance of the building itself, if located at the top of the building or separated therefrom only by other space not included in the gross floor area;

(4) Mechanical equipment, appurtenances and areas, necessary to the operation or maintenance of the building itself (i) if located at an intermediate story of the building and forming a complete floor level; or (ii) in C-3 Districts, if located on a number of intermediate stories occupying less than a full floor level, provided that the mechanical equipment, appurtenances and areas are permanently separated from occupied floor areas and in aggregate area do not exceed the area of an average floor as determined by the Zoning Administrator;

(5) Outside stairs to the first floor of occupancy at the face of the building which the stairs serve, or fire escapes;

(6) Floor space used for accessory off-street parking and loading spaces as described in Section 204.5 of this Code and driveways and maneuvering areas incidental thereto;

(7) Arcades, plazas, walkways, porches, breezeways, porticos and similar features (whether roofed or not), at or near street level, accessible to the general public and not substantially enclosed by exterior walls; and accessways to public transit lines, if open for use by the general public; all exclusive of areas devoted to sales, service, display, and other activities other than movement of persons;

(8) Balconies, porches, roof decks, terraces, courts and similar features, except those used for primary access as described in Paragraph (a)(6) above, provided that:

(A) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the clear space is less than 15 feet in either dimension, the area shall not be excluded from gross floor area unless it is fully open to the sky (except for roof eaves, cornices or belt courses which project not more than two feet from the face of the building wall).

(B) If more than 70 percent of the perimeter of such an area is enclosed, either by building walls (exclusive of a railing or parapet not more than three feet eight inches high), or by such walls and interior lot lines, and the clear space is 15 feet or more in both dimensions, (1) the area shall be excluded from gross floor area if it is fully open to the sky (except for roof eaves, cornices or belt courses which project no more than two feet from the face of the building wall), and (2) the area may have roofed areas along its perimeter which are also excluded from gross floor area if the minimum clear open space between any such roof and the opposite wall or roof (whichever is closer) is maintained at 15 feet (with the above exceptions) and the roofed area does not exceed 10 feet in depth; (3) In addition, when the clear open area exceeds 625 square feet, a canopy, gazebo, or similar roofed structure without walls may cover up to 10 percent of such open space without being counted as gross floor area.

(C) If, however, 70 percent or less of the perimeter of such an area is enclosed by building walls (exclusive of a railing or parapet not more than three feet eight inches high) or by such walls and interior lot lines, and the open side or sides face on a yard, street or court whose dimensions satisfy

the requirements of this Code and all other applicable codes for instances in which required windows face upon such a yard, street or court, the area may be roofed to the extent permitted by such codes in instances in which required windows are involved;

(9) On lower, nonresidential floors, elevator shafts and other life support systems serving exclusively the residential uses on the upper floors of a building;

(10) One-third of that portion of a window bay conforming to the requirements of Section 136(d)(2) which extends beyond the plane formed by the face of the facade on either side of the bay but not to exceed seven square feet per bay window as measured at each floor;

(11) Ground floor area in the C-3-O, C-3-O(SD), C-3-S, and C-3-G Districts devoted to building or pedestrian circulation and building service;

(12) In the C-3-O, C-3-O(SD), C-3-S and C-3-G Districts, space devoted to personal services, restaurants, and retail sales of goods intended to meet the convenience shopping and service needs of downtown workers and residents, not to exceed 5,000 occupied square feet per use and, in total, not to exceed 75 percent of the area of the ground floor of the building plus the ground level, on-site open space. Said uses shall be located on the ground floor, except that, in order to facilitate the creation of more spacious ground floor interior spaces, a portion of the said uses, in an amount to be determined pursuant to the provisions of Section 309, may be located on a mezzanine level;

(13) An interior space provided as an open space feature in accordance with the requirements of Section 138;

(14) Floor area in C-3, RED, RSD, SPD, SLR, SLI, and SSO Districts devoted to child care facilities provided that:

(A) Allowable indoor space is no more or no less than 3,000 square feet and no more than 6,000 square feet, and

(B) The facilities are made available rent free, and

(C) Adequate outdoor space is provided adjacent, or easily accessible, to the facility. Spaces such as atriums, rooftops or public parks may be used if they meet licensing requirements for child care facilities, and

(D) The space is used for child care for the life of the building as long as there is a demonstrated need. No change in use shall occur without a finding by the City Planning Commission that there is a lack of need for child care and that the space will be used for a facility described in Subsection 15 below dealing with cultural, educational, recreational, religious, or social service facilities;

(15) Floor area in C-3, RSD, SPD, SLR, SLI and SSO Districts permanently devoted to cultural, educational, recreational, religious or social service facilities available to the general public at no cost or at a fee covering actual operating expenses, provided that such facilities are:

(A) Owned and operated by a nonprofit corporation or institution, or

(B) Are made available rent free for occupancy only by nonprofit corporations or institutions for such functions; and that

(C) Building area subject to this Subsection shall be counted as occupied floor area, except as provided in Subsections 102.10(a) through (f) of this Code, for the purpose of calculating the off-street parking and freight loading requirements for the project;

(16) In C-3 Districts, floor space used for short-term parking and aisles incidental thereto when required pursuant to Section 309 in order to replace short-term parking spaces displaced by the building or buildings(());

(17) Floor space in mezzanine areas within live/work units where the mezzanine satisfies all applicable requirements of the San Francisco Building Code;

(18) Floor space suitable primarily for and devoted exclusively to exhibitions or performances by live/work tenants within the structure or lot, provided that such facilities are made available rent free to live/work tenants within the property for the life of the structure((.)) and

(19) In South of Market RSD, SPD, SLR, SLI and SSO Districts, live/work units and any occupied floor area devoted to open space, parking, mechanical appurtenances or equipment or other floor area accessory to live/work use provided that:

(A) Non-residential use within each live/work unit shall be limited to uses otherwise permitted within the district or otherwise conditional within the district and approved as a conditional use;

(B) The density, enforcement, open space, parking and freight loading and other standards specified in Sections 124(1), 135.1, 151 and 152.5, respectively, shall be satisfied, along with all other applicable provisions of this Code; and

(C) Building area subject to this Subsection shall be counted as occupied floor area, except as provided in Subsections 102.10(a) through (f) of this Code, for the purpose of calculating the off-street parking and freight loading requirement for the project.

[Sections 102.10 through 102.16 are unchanged.]

SEC. 102.17. NIGHTTIME ENTERTAINMENT USES. Nighttime entertainment uses shall include dance halls, discotheques, cabarets, nightclubs, private clubs, and other similar evening-oriented entertainment activities which require dance hall keeper police permits, place of entertainment police permits which are not limited to non-amplified live entertainment, or cabaret police permits, including restaurants and bars which present such activities, but shall not include any arts activities or space as defined in Section 102.2 of this Code, any theater performance space which does not serve alcoholic beverages during performances, or any temporary uses permitted pursuant to Sections 205 through 205.3 of this Code.

SEC. 102.((17))18. ONE OWNERSHIP. Ownership of a parcel or contiguous parcels of property or possession thereof under a contract to purchase by a person or persons, firm, corporation or partnership, individually, jointly, in common, or in any other manner whereby such property is under single or unified control. The term shall include condominium ownership. The term "owner" shall mean the person, firm, corporation or partnership exercising one ownership as herein defined.

SEC. 102.((18))19. OPEN SPACE, REQUIRED. Any front setbacks, side or rear yards, courts, usable open space or other open area provided in order to meet the requirements of this Code.

SEC. 102.((19))20. OPEN USE. Any use of a lot that is not conducted within a building.

SEC. 102.((20))21. **PLAN DIMENSIONS.** The linear horizontal dimensions of a building or structure, at a given level, between the outside surfaces of its exterior walls. The "length" of a building or structure is the greatest plan dimension parallel to an exterior wall or walls, and is equivalent to the horizontal dimension of the corresponding elevation of the building or structure at that level. The "diagonal dimension" of a building or structure is the plan dimension between the two most separated points on the exterior walls.

SEC. 102.((21))22. **PRINCIPAL FACADES.** Exterior walls of a building which are adjacent to or front on a public street, park or plaza.

SEC. 102.((22))23. **STORY.** That portion of a building, except a mezzanine as defined in the Building Code, included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the surface of the floor and the ceiling next above it.

SEC. 102.((23))24. **STORY, GROUND.** The lowest story of a building, other than a basement or cellar as defined in the Building Code.

SEC. 102.((24))25. **STREET.** A right-of-way, 30 feet or more in width, permanently dedicated to common and general use by the public, including any avenue, drive, boulevard, or similar way, but not including any freeway or highway without a general right of access for abutting properties.

SEC. 102.((25))26. **STRUCTURE.** Anything constructed or erected which requires fixed location on the ground or attachment to something having fixed location on the ground.

SEC. 102.((26))27. **STRUCTURAL ALTERATIONS.** Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

SEC. 102.((27))28. **USE.** The purpose for which land or a structure, or both, are designed, constructed, arranged or intended, or for which they are occupied or maintained, let or leased.

[Sections 105 through 123 are unchanged.]

SEC. 124. BASIC FLOOR AREA RATIO. (a) Except as provided in Subsections (b), (c) and (e) of this Section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 124

BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
	1.8 to 1
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2	3.6 to 1
RM-3	4.8 to 1
RM-4	1.8 to 1
RC-1, RC-2	3.6 to 1
RC-3	4.8 to 1
RC-4	<u>1.0 to 1</u>
RED	<u>1.8 to 1</u>
RSD, SPD	0.75 to 1
NC-1,	1.0 to 1
NC-S,	
Inner Clement,	
Outer Clement,	
Haight,	1.8 to 1
North Beach,	
Sacramento,	
24th Street-Noe Valley,	
West Portal	
NC-2,	
Broadway,	2.5 to 1
Upper Fillmore,	
Polk,	
Valencia,	
24th Street-Mission	
Castro,	
Hayes-Gough,	3.0 to 1
Upper Market,	
Union	
NC-3	3.6 to 1
	1.0 to 1
Chinatown R/NC	2.0 to 1
Chinatown VR	2.8 to 1
Chinatown CB	

TABLE 124 (con't)
BASIC FLOOR AREA RATIO LIMITS

District	Basic Floor Area Ratio Limit
C-1, C-2	3.6 to 1
C-2-C	4.8 to 1
C-3-C	6.0 to 1
C-3-O	9.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-O (SD)	6.0 to 1
C-M	9.0 to 1
M-1, M-2	5.0 to 1
<u>SLR, SLI</u>	<u>2.5 to 1</u>
<u>SSO and in a 40 or 50 foot height district</u>	<u>3.0 to 1</u>
<u>SSO and in a 65, 80 or 130 foot height district</u>	<u>4.0 to 1</u>

(b) In R, NC, and Mixed Use Districts, the above floor area ratio limits shall not apply to dwellings or to other residential uses. In NC Districts, the above floor area ratio limits shall also not apply to non-accessory off-street parking. In Chinatown Mixed Use Districts, the above floor area ratio limits shall not apply to institutions, and mezzanine commercial space shall not be calculated as part of the floor area ratio.

(c) In a C-2 District the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 District than to any other R district, and 10.0 to 1 for a lot which is nearer to a C-3 district than to any R district. The distance to the nearest R District or C-3 District shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.

(d) In the Automotive Special Use District, as described in Section 237 of this Code, the basic floor area ratio limit shall be 10.0 to 1.

(e) In the Northern Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C District shall be 5.0 to 1.

(f) For buildings in C-3-G and C-3-S Districts other than those designated as Significant or Contributory pursuant to Article 11 of this Code, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for construction of dwellings on the site of the building affordable for 20 years to households whose incomes are within 150 percent of the median income as defined herein, in accordance with the conditional use procedures and criteria as provided in Section 303 of this Code.

(1) Any dwelling approved for construction under this provision shall be deemed a "designated unit" as defined below. Prior to the issuance by the Superintendent of the Bureau of Building Inspection ("Superintendent") of a site or building permit to construct any designated unit subject to this Section, the permit applicant shall notify the Director of Planning and the

Director of Property in writing whether the unit will be an owned or rental unit as defined in Section 313(a) of this Code.

(2) Within 60 days after the issuance by the Superintendent of a site or building permit for construction of any unit intended to be an owned unit, the Director of Planning shall notify the City Engineer in writing identifying the intended owned unit, and the Director of Property shall appraise the fair market value of such unit as of the date of the appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to the Director of Planning and the permit applicant. The permit applicant shall supply all information to the Director of Property necessary to appraise the unit, including all plans and specifications.

(3) Each designated unit shall be subject to the provisions of Section 313(1) of this Code. For purposes of this Subsection and the application of Section 313(1) of this Code to designated units constructed pursuant to this Subsection, the definitions set forth in Section 313(a) shall apply, with the exception of the following definitions, which shall supersede the definitions of the terms set forth in Section 313(a):

(A) "Base price" shall mean 3.25 times the median income for a family of four (4) persons for the County of San Francisco as set forth in California Administrative Code Section 6932 on the date on which a housing unit is sold.

(B) "Base rent" shall mean .45 times the median income for the County of San Francisco as set forth in California Administrative Code Section 6932 for a family of a size equivalent to the number of persons residing in a household renting a designated unit.

(C) "Designated unit" shall mean a housing unit identified and reported to the Director by the sponsor of an office development project subject to this Subsection as a unit that shall be affordable to households of low or moderate income for 20 years.

(D) "Household of low or moderate income" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed 150 percent of the qualifying limit for a median income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in California Administrative Code Section 6932.

(E) "Sponsor" shall mean an applicant seeking approval for construction of a project subject to this Subsection and such applicants' successors and assigns.

((g)) In the Mid-South of Market Special Use District, as described in Section 249.1 of this Code, the basic floor area ratio limit for office uses shall be 2.0 to 1.))

((h)) (g) The allowable gross floor area on a lot which is the site of an unlawfully demolished building that is governed by the provisions of Article 11 shall be the gross floor area of the demolished building for the period of time set forth in, and in accordance with the provisions of, Section 114 of this Code, but not to exceed the basic floor area permitted by this Section.

((i)) (h) In calculating the permitted floor area of a new structure in a C-3 District, the lot on which an existing structure is located may not be included unless the existing structure and the new structure are made part of a single development complex, the existing structure is or is made architecturally compatible with the new structure, and, if the existing structure is in a Conservation District, the existing structure meets or is

made to meet the standards of Section 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic loads and forces of the 1975 Building Code. Determinations under this Paragraph shall be made in accordance with the provisions of Section 309.

((j))(1) In calculating allowable gross floor area on a preservation lot from which any TDRs have been transferred pursuant to Section 128, the amount allowed herein shall be decreased by the amount of gross floor area transferred.

(j) Within any RSD, SPD, SLR, SLI or SSO District, live/work units constructed above the Floor Area Ratio limit pursuant to Section 102.9(b)(19) of this Code shall be subject to the following conditions and standards.

(1) Considering all dwelling units and all live/work units on the lot, existing and to be constructed, there shall be no more than one live/work unit and/or dwelling unit per 200 square feet of lot area, except that, for projects in the RSD District which will exceed 40 feet in height, and are otherwise required to obtain conditional use approval, the allowable density for dwelling units and live/work units, combined, shall be established as part of the conditional use determination; and

(2) The project sponsor shall provide assurances satisfactory to the Zoning Administrator that the subject unit(s) shall remain in live/work use for not less than 20 years. These assurances shall include, but need not be limited to:

(A) Specific designation on the building permit or approved plans for the structure of each area committed to live/work space subject to this provision;

(B) Before approval of any demolition, site or building permit for the project, recordation of a restriction on the property in a form satisfactory to the Zoning Administrator to assure conformance to these provisions by the owner and tenants of the property, any subsequent owner or tenant of the property, and any other person with an economic interest in the property. If at any time within the required 20 year period the designated live/work space is not occupied by a permitted or properly approved conditional live/work use, the space shall be physically secured, made safe and remain vacant and unused until such time as the space is occupied by an appropriate live/work use; and

(C) The owner of any property on which additional gross floor area is constructed in reliance on this Subsection, and all successor owners during the 20 year period specified in this Subsection, shall report annually to the Zoning Administrator, listing each live/work unit subject to this Subsection on the lot in question, the name of the tenant or tenants, and the non-residential use(s) conducted in each unit. At the time of each report, the owner shall certify to the Zoning Administrator under penalty of perjury that the information included is true and correct to the best of his or her knowledge and that each tenant has been notified of the information furnished with respect to that tenant's unit. Such reports shall be made during each calendar year, beginning in the year after a site or building permit is approved in reliance on this Subsection, between June 1 and June 30.

Live/work units within South of Market districts which are counted against the maximum floor area ratio for the district are not subject to the provisions of this Subsection, provided that all such units provided above the 40 foot height limit in the 40-X/85-B height and bulk district shall be subject to Section 263.11(c).

(Sections 124.1 through 127 are unchanged.)

SEC. 128. TRANSFER OF DEVELOPMENT RIGHTS IN C-3 DISTRICTS. (a)

Definitions.

(1) "Development Lot." A lot to which TDR may be transferred to increase the allowable gross floor area of development thereon beyond that otherwise permitted by Section 124.

(2) "Owner of Record." The owner or owners of record in fee.

(3) "Preservation Lot." A parcel of land on which is either (i) a Significant or Contributory Building (as designated pursuant to Article 11); or (ii) a Category V building that has complied with the eligibility requirement for transfer of TDR as set forth in Section 1109(c); or (iii) a structure designated a landmark pursuant to Article 10 of this Code. The boundaries of the Preservation Lot shall be the boundaries of the Assessor's lot on which the building is located at the time the ordinance or, as to Section 1109(c), resolution, making the designation is adopted unless boundaries are otherwise specified in the ordinance.

(4) "Transfer Lot." A Preservation Lot located in a C-3 District from which TDR may be transferred. A lot zoned P (public) may in no event be a Transfer Lot.

(5) "Transferable Development Rights (TDR)." Units of gross floor area which may be transferred, pursuant to the provisions of this Section and Article 11 of this Code, from a Transfer Lot to increase the allowable gross floor area of a development on a Development Lot.

(6) "Unit of TDR." One unit of TDR is one square foot of gross floor area.

(b) Amount of TDR Available for Transfer. The maximum TDR available for transfer from a Transfer Lot consists of the difference between (aa) the allowable gross floor area permitted on the Transfer Lot by Section 124 and (bb) the gross floor area of the development located on the Transfer Lot.

(c) Eligibility of Development Lots and Limitation on Use of TDR on Development Lots. TDR may be used to increase the allowable gross floor area of a development on a Development Lot if the following requirements and restrictions are satisfied:

(1) (i) The Transfer Lot and the Development Lot are located in the same C-3 Zoning District, or (ii) the Transfer Lot is located in a C-3-0₁ or C-3-R District and the Development Lot is located in the C-3-0(SD) Special Development District; or (iii) the Transfer Lot is a Preservation Lot that contains a Significant building and is located in the Extended Preservation District or a C-3-G or C-3-S District and the Development Lot is located in the C-3-0(SD) Special District.

(2) TDR may not be transferred for use on any lot on which is or has been located a Significant or Contributory building; provided that this restriction shall not apply if the designation of a building is changed to Unrated; nor shall it apply if the City Planning Commission finds that the additional space resulting from the transfer of TDR is essential to make economically feasible the reinforcement of a Significant or Contributory building to meet the standards for seismic loads and forces of the 1975 Building Code, in which case TDR may be transferred for that purpose subject to the limitations of this section and Article 11, including Section 1111.6. Any alteration shall be governed by the requirements of Sections 1111 to 1111.6.

(3) Notwithstanding any other provision of this Section, development on a Development Lot is limited by the provisions of this Code, other than those on floor area ratio, governing the approval of projects, including the requirements relating to height, bulk, setback, sunlight access, and separation between towers, and any limitations imposed pursuant to Section 309 review applicable to the Development Lot. The total allowable gross floor area of a development on a Development Lot may not exceed the limitation imposed by Section 123(c).

(d) Effect of Transfer of TDR.

(1) Transfer of TDR from a Transfer Lot permanently reduces the development potential of the Transfer Lot by the amount of the TDR transferred. In addition, transfer of TDR from a Preservation Lot containing a Contributory building or a landmark designated pursuant to Article 10 causes such building to become subject to the same restrictions on demolition and alteration, and the same penalties and enforcement remedies, that are applicable to Significant buildings Category I, as provided in Article 11.

(e) Procedure for Determining TDR Eligibility.

(1) In order to obtain a determination of whether a lot is a Transfer Lot and, if it is, of the amount of TDR available for transfer, the owner of record of the lot may file an application with the Zoning Administrator for a Statement of Eligibility. The application for a Statement of Eligibility shall contain or be accompanied by plans and drawings and other information which the Zoning Administrator determines is necessary in order to determine whether a Statement of Eligibility can be issued. Any person who applies for a Statement of Eligibility prior to expiration of the time for request of reconsideration of designation authorized in Section 1105 shall submit in writing a waiver of the right to seek such reconsideration.

(2) The Zoning Administrator shall, upon the filing of an application for a Statement of Eligibility and the submission of all required information, issue either a proposed Statement of Eligibility or a written determination that no TDR are available for transfer and shall mail that document to the applicant and to any other person who has filed with the Zoning Administrator a written request for a copy. Any appeal of the proposed Statement of Eligibility or determination of non-eligibility shall be filed with the Board of Permit Appeals within 20 days of the date of issuance of the document. If not appealed, the proposed Statement of Eligibility or the determination of non-eligibility shall become final on the 21st day after the date of issuance. The Statement of Eligibility shall contain at least the following information: (i) the name of the owner of record of the Transfer Lot; (ii) the address, legal description and Assessor's Block and Lot of the Transfer Lot; (iii) the C-3 use district within which the Transfer Lot is located; (iv) whether the Transfer Lot is a Preservation Lot or Development Lot; (v) if a Preservation Lot, whether the Transfer Lot contains a Significant or Contributory Building, a Category V building, or an Article 10 landmark; (vi) the amount of TDR available for transfer; and (vii) the date of issuance.

(3) Once the proposed Statement of Eligibility becomes final, whether through lack of appeal or after appeal, the Zoning Administrator shall record the Statement of Eligibility in the Office of the County Recorder. The County Recorder shall be instructed to mail the original of the recorded document to the owner of record of the Transfer Lot and, if a copy of the document is presented at the time of the recordation, shall conform the copy and mail it to the Zoning Administrator.

(f) Cancellation of Eligibility.

(1) If reasonable grounds should at any time exist for determining that a building on a Preservation Lot may have been altered or demolished in violation of Articles 10 or 11, including Sections 1110 and 1112 thereof, the Zoning Administrator may issue and record with the County Recorder a Notice of Suspension of Eligibility for the affected lot and, in cases of demolition of a Significant or Contributory building, a notice that the restriction on the floor area ratio of a replacement building, pursuant to Section 1114, may be applicable and shall mail a copy of such notice to the owner of record of the lot. The notice shall provide that the property owner shall have 20 days from the date of the notice in which to request a hearing before the Zoning Administrator in order to dispute this initial determination. If no hearing is requested, the initial determination of the Zoning Administrator is deemed final on the 21st day after the date of the notice, unless the Zoning Administrator has determined that the initial determination was in error.

(2) If a hearing is requested, the Zoning Administrator shall notify the property owner of the time and place of hearing, which shall be scheduled within 21 days of the request, shall conduct the hearing, and shall render a written determination within 15 days after the close of the hearing. If the Zoning Administrator shall determine that the initial determination was in error, that officer shall issue and record a Notice of Revocation of Suspension of Eligibility. Any appeal of the determination of the Zoning Administrator shall be filed with the Board of Permit Appeals within 20 days of the date of the written determination following a hearing or, if no hearing has been requested, within 20 days after the initial determination becomes final.

(3) If after an appeal to the Board of Permit Appeals it is determined that an unlawful alteration or demolition has occurred, or if no appeal is taken of the determination by the Zoning Administrator of such a violation, the Zoning Administrator shall record in the Office of the County Recorder a Notice of Cancellation of Eligibility for the lot, and shall mail to the property owner a conformed copy of the recorded Notice. In the case of demolition of a Significant or Contributory building, the Zoning Administrator shall record a Notice of Special Restriction noting the restriction on the floor area ratio of the Preservation Lot pursuant to the provisions of Section 1114, and shall mail to the owner of record a certified copy of the Notice. If after an appeal to the Board of Permit Appeals it is determined that no unlawful alteration or demolition has occurred, the Zoning Administrator shall issue and record a Notice of Revocation of Suspension of Eligibility and, if applicable, a Notice of Revocation of the Notice of Special Restriction pursuant to Section 1114, and shall mail conformed copies of the recorded notices to the owner of record.

(4) No notice recorded under this Section 128(f) shall affect the validity of TDR that have been transferred from the affected Transfer Lot in compliance with the provisions of this Section prior to the date of recordation of such notice, whether or not such TDR have been used.

(g) Procedure for Transfer of TDR.

(1) TDR from a single Transfer Lot may be transferred as a group to a single transferee or in separate increments to several transferees. TDR may be transferred either directly from the original owner of the TDR to the owner of a Development Lot or to persons, firms or entities who acquire the TDR from the original owner of the TDR and hold them for subsequent transfer to other persons, firms, entities or to the owners of a Development Lot or Lots.

(2) When TDR are transferred, they shall be identified in each Certificate of Transfer by a number. A single unit of TDR transferred from a Transfer Lot shall be identified by the number "1". Multiple units of TDR transferred as a group for the first time from a Transfer Lot shall be numbered consecutively from "1" through the number of units transferred. If a fraction of a unit of TDR is transferred, it shall retain its numerical identification. (For example, if 5,000-1/2 TDR are transferred in the initial transfer from the Transfer Lot, they would be numbered "1 through 5,000 and one-half of 5,001.") TDR subsequently transferred from the Transfer Lot shall be identified by numbers taken in sequence following the last number previously transferred. (For example if the first units of gross floor area transferred from a Transfer Lot are numbered 1 through 10,000, the next unit transferred would be number 10,001.) If multiple units transferred from a Transfer Lot are subsequently transferred separately in portions, the seller shall identify the TDR sold by numbers which correspond to the numbers by which they were identified at the time of their transfer from the Transfer Lot. (For example, TDR numbered 1 through 10,000 when transferred separately from the Transfer Lot in two equal portions would be identified in the two Certificates of Transfer as numbers 1 through 5,000 and 5,001 through 10,000.) Once assigned numbers, TDR retain such numbers for the purpose of identification through the process of transferring and using TDR. The phrase "numerical identification," as used in this section, shall mean the identification of TDR by numbers as described in this Subsection.

(3) Transfer of TDR from the Transfer Lot shall not be valid unless (i) a Statement of Eligibility has been recorded in the Office of the County Recorder prior to the date of recordation of the Certificate of Transfer evidencing such transfer and (ii) a Notice of Suspension of Eligibility or Notice of Cancellation of Eligibility has not been recorded prior to such transfer or, if recorded, has thereafter been withdrawn by an appropriate recorded Notice of Revocation or a new Statement of Eligibility has been thereafter recorded.

(4) Transfer of TDR, whether by initial transfer from a Transfer Lot or by a subsequent transfer, shall not be valid unless a Certificate of Transfer evidencing such transfer has been prepared and recorded. The Zoning Administrator shall prepare a form of Certificate of Transfer and all transfers shall be evidenced by documents that are substantially the same as the Certificate of Transfer form prepared by the Zoning Administrator, which form shall contain at least the following:

(i) For transfers from the Transfer Lot only:

(aa) Execution and acknowledgment by the original owner of TDR as the transferor(s) of the TDR; and

(bb) Execution and acknowledgment by the Zoning Administrator; and

(cc) A notice, prominently placed and in all capital letters, preceded by the underlined heading "Notice of Restriction," stating that the transfer of TDR from the Transfer Lot permanently reduces the development potential of the Transfer Lot by the amount of TDR transferred, with reference to the provisions of this section.

(ii) For all transfers:

(aa) The address, legal description, Assessor's Block and Lot, and C-3 use district of the Transfer Lot from which the TDR originates; and

(bb) The amount of TDR transferred; and

(cc) Numerical identification of the TDR being transferred; and

(dd) The names and mailing addresses of the transferors and transferees of the TDR; and

(ee) Execution and acknowledgment by the transferors and transferees of the TDR; and

(ff) A reference to the Statement of Eligibility, including its recorded instrument number and date of recordation, and a recital of all previous transfers of the TDR, including the names of the transferors and transferees involved in each transfer and the recorded instrument number and date of recordation of each Certificate of Transfer involving the TDR, including the transfer from the Transfer Lot which generated the TDR.

(5) When a Certificate of Transfer for the transfer of TDR from a Transfer Lot is presented to the Zoning Administrator for execution, that officer shall not execute the document if a transfer of the TDR would be prohibited by any provision of this Section or any other provision of this Code. The Zoning Administrator shall, within 5 business days from the date that the Certificate of Transfer is submitted for execution, either execute the Certificate of Transfer or issue a written determination of the grounds requiring a refusal to execute the Certificate.

(6) Each duly executed and acknowledged Certificate of Transfer containing the information required herein shall be presented for recordation in the Office of the County Recorder and shall be recorded by the County Recorder. The County Recorder shall be instructed to mail the original Certificate of Transfer to the person and address designated thereon and shall be given a copy of the Certificate of Transfer and instructed to conform the copy and mail it to the Zoning Administrator.

(h) Certification of Transfer of TDR for a Project on a Development Lot.

(1) When the use of TDR is necessary for the approval of a building permit for a project on a Development Lot, the Superintendent of the Bureau of Building Inspection shall not approve issuance of the permit unless the Zoning Administrator has issued a written certification that the owner of the Development Lot owns the required number of TDR. When the transfer of TDR is necessary for the approval of a site permit for a project on a Development Lot, the Zoning Administrator shall impose as a condition of approval of the site permit the requirement that the Superintendent of the Bureau of Building Inspection shall not issue the first addendum to the site permit unless the Zoning Administrator has issued a written certification that the owner of the Development Lot owns the required number of TDR.

(2) In order to obtain certification as required in Section 128(h)(1), the permit applicant shall present to the Zoning Administrator:

(i) Information necessary to enable the Zoning Administrator to prepare the Notice of Use of TDR, which information shall be at least the following:

(aa) The address, legal description, Assessor's Block and Lot, and zoning classification of the Development Lot;

(bb) The name and address of the owner of record of the Development Lot;

(cc) Amount and numerical identification of the TDR being used;

(dd) A certified copy of each Certificate of Transfer evidencing transfer to the owner of the Development Lot of the TDR being used; and

(ii) A report from a title insurance company showing the holder of record of the TDR to be used, all Certificates of Transfer of the TDR, and all other matters of record affecting such TDR. In addition to showing all such information, the report shall guarantee that the report is accurate and complete and the report shall provide that in the event that its guarantee or

any information shown in the report is incorrect, the title company shall be liable to the City for the fair market value of the TDR at the time of the report. The liability amount shall be not less than \$10,000 and no more than \$1,000,000, the appropriate amount to be determined by the Zoning Administrator based on the number of TDR being used.

(iii) An agreement whereby the owner of the Development Lot shall indemnify the City against any and all loss, cost, harm or damage, including attorneys' fees, arising out of or related in any way to the assertion of any adverse claim to the TDR, including any loss, cost, harm or damage occasioned by the passive negligence of the City and excepting only that caused by the City's sole and active negligence. The indemnity agreement shall be secured by a first deed of trust on the Development Lot, or other security satisfactory to the Department of City Planning and the City Attorney.

(3) If the Zoning Administrator determines that the project applicant has complied with the provisions of Subsection (h)(2) and all other applicable provisions of this section, and that the applicant is the owner of the TDR, that officer shall transmit to the Superintendent of the Bureau of Building Inspection, with a copy to the project applicant, written certification that the owner of the Development Lot owns the TDR. Prior to transmitting such certification, the Zoning Administrator shall prepare a document entitled Notice of Use of TDR stating that the TDR have been used and may not be further transferred, shall obtain the execution and acknowledgment on the Notice of the owner of record of the Development Lot, shall execute and acknowledge the Notice, shall record it in the Office of the County Recorder, and shall mail to the owner of record of the Development Lot a conformed copy of the recorded Notice. If the Zoning Administrator determines that the project applicant is not the owner of the TDR, or has not complied with all applicable provisions of this Section, that determination shall be set forth in writing along with the reasons therefor. The Zoning Administrator shall either transmit certification or provide a written determination that certification is inappropriate within 10 business days after the receipt of all information required pursuant to subsection (h)(2).

(i) Cancellation of Notice of Use; Transfer from Development Lot.

(1) The owner of a Development Lot for which a Notice of Use of TDR has been recorded may apply for a Cancellation of Notice of Use if (i) the building permit or site permit for which the Notice of Use was issued expires or was revoked or cancelled prior to completion of the work for which such permit was issued and the work may not be carried out; or (ii) any administrative or court decision is issued or any ordinance or initiative or law is adopted which does not allow the applicant to make use of the permit or (iii) a portion or all of such TDR are not used.

(2) If the Zoning Administrator determines that the TDR have not been and will not be used on the Development Lot based on the reasons set forth in subsection (1)(1), the Zoning Administrator shall prepare the Cancellation of Notice of Use of TDR. If only a portion of the TDR which had been acquired are not being used, the applicant may identify which TDR will not be used and the Cancellation of Notice of Use of TDR shall apply only to those TDR. The Zoning Administrator shall obtain on the Cancellation of Notice of Use of TDR the signature and acknowledgment of the owner of record of the Development Lot as to which the Notice of Use of TDR was recorded, shall execute and acknowledge the document, and shall record it in the office of the County Recorder.

(3) Once a Cancellation of Notice of Use of TDR has been recorded, the owner of the Development Lot may apply for a Statement of Eligibility in order to transfer the TDR identified in that document. The procedures and requirements set forth in this Section governing the transfer of TDR shall apply to the transfer of TDR from the owner of a Development Lot after a Notice of Use has been filed, except for the provisions of this Section permanently restricting the development potential of a Transfer Lot upon the transfer of TDR; provided, however, that the district or districts to which the TDR may be transferred shall be the same district or districts to which TDR could have been transferred from the Transfer Lot that generated the TDR.

(j) **Erroneous Notice of Use; Revocation of Permit.** If the Zoning Administrator determines that a Notice of Use of TDR was issued or recorded in error, that officer may direct the Superintendent of the Bureau of Building Inspection to suspend any permit issued for a project using such TDR, in which case the Superintendent shall comply with that directive. The Zoning Administrator shall thereafter conduct a noticed hearing in order to determine whether the Notice of Use of TDR was issued or recorded in error. If it is determined that the Notice of Use of TDR was issued or recorded in error, the Superintendent of the Bureau of Building Inspection shall revoke the permit; provided, however, that no permit authorizing such project shall be revoked if the right to proceed thereunder has vested under California law. If it is determined that the Notice of Use of TDR was not issued or recorded in error, the permit shall be reinstated.

(k) **Effect of Repeal or Amendment.** TDR shall convey the rights granted herein only so long and to the extent as authorized by the provisions of this Code. Upon repeal of such legislative authorization, TDR shall thereafter convey no rights or privileges. Upon amendment of such legislative authorization, TDR shall thereafter convey only such rights and privileges as are permitted under the amendment. No Statement of Eligibility shall convey any right to use, transfer or otherwise utilize TDR if the maximum floor area ratio for the Transfer Lot is reduced after the Statement of Eligibility is issued.

(Sections 130 through 133 are unchanged.)

SEC. 134. REAR YARDS, R, NC, C, ((AND)) M, RSD, SPD AND SLR DISTRICTS.

The following requirements for rear yards shall apply to every building in an R, NC-1, or NC-2 District or Individual Neighborhood Commercial District where noted in Subsection (a) except those buildings which contain only live/work units, and to every dwelling in a(n) SPD, RSD, SLR, SLI, SSO, NC-2, NC-3, Individual Neighborhood Commercial District where noted in Subsection (a), C or M District. Rear yards shall not be required in NC-S Districts. These requirements are intended to assure the protection and continuation of established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

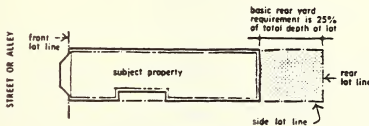
(a) **Basic Requirements.** The basic rear yard requirements shall be as follows for the districts indicated:

(1) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C, ((and)) M, RED, SPD, RSD, SLR, SLI and SSO Districts. The minimum rear yard

depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

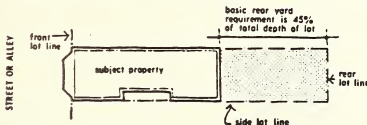
(A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley, and West Portal Avenue Districts. Rear yard shall be provided at grade level and at each succeeding level or story of the building.

(B) NC-2, Castro Street, Inner Clement Street, Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission Districts. Rear yards shall be provided at the second story, and at each succeeding story of the building, and at the first story if it contains a dwelling unit.



(C) RC-2, RC-3, RC-4, NC-3, Broadway, Hayes-Gough, Upper Market Street, Polk Street, C_u ((and)) M₁, RED, SPD, RSD, SLR, SLI and SSO Districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building.

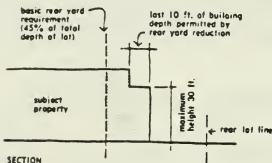
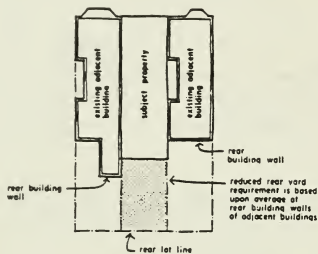
(2) RH-2, RH-3, RM-1 and RM-2 Districts. The minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of the building.



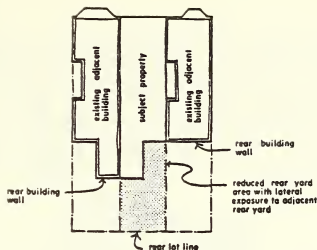
(b) **Permitted Obstructions.** Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

(c) **Reduction of Requirements in RH-2, RH-3, RM-1 and RM-2 Districts.** The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 Districts, as stated in Paragraph (a)(2) above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less than a depth equal to 25 percent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.

(1) General Rule. In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.



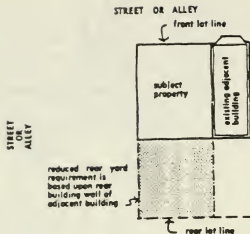
(2) Alternative Method of Averaging. If, under the rule stated in Paragraph (c)(1) above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)(1) above times the reduction in depth of rear yard permitted by Paragraph (c)(1); and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open area behind the adjacent building having the lesser depth of its rear building wall.



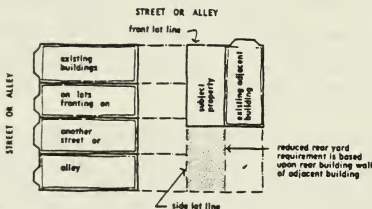
(3) Method of Measurement. For purposes of this Subsection (c), an "adjacent building" shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least 1/2 the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less, excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, RED, SPD, RSD, SLR, SLI, SSO, NC, C, M or P District, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.

(4) Applicability to Special Lot Situations. In the following special lot situations, the general rule stated in Paragraph (c)(1) above shall be applied as provided in this Paragraph (c)(4), and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.

(A) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.

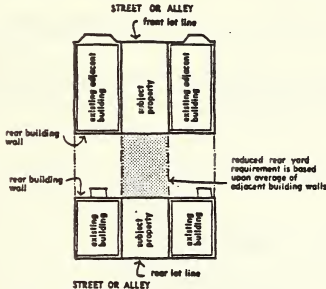


(B) **Lots Abutting Properties with Buildings that Front on Another Street or Alley.** In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.



(C) **Through Lots Abutting Properties that Contain Two Buildings.** Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley

on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)(4)(C) is applied, the requirements of Section 132 of this Code for front setback areas shall be applicable along both street or alley frontages of the subject through lot.



(d) Reduction of Requirements in C-3 Districts. In C-3 Districts, an exception to the rear yard requirements of this Section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

(e) Modification of Requirements in NC Districts. The rear yard requirements in NC Districts may be modified or waived in specific situations as described in this Subsection (e).

(1) General. The rear yard requirement in NC Districts may be modified or waived by the Zoning Administrator pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2, if all of the following criteria are met:

(A) Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; and

(B) The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties; and

(C) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.

(2) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or on a lot at the intersection of a street and an alley of at least 25 feet in width, the required rear yard may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in an interior corner of the lot, an open area

between two or more buildings on the lot, or an inner court, as defined by this Code, provided that the Zoning Administrator determines that all of the criteria described below in this Paragraph are met.

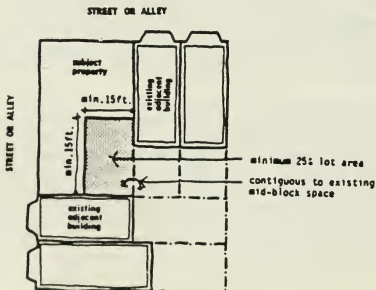
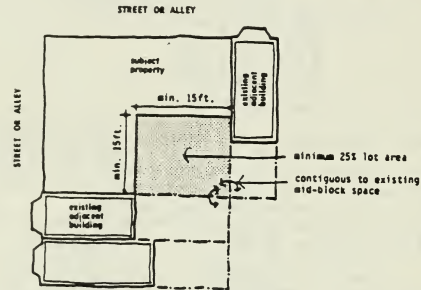
(A) Each horizontal dimension of the open area shall be a minimum of 15 feet.

(B) The open area shall be wholly or partially contiguous to the existing midblock open space formed by the rear yards of adjacent properties.

(C) The open area will provide for the access to light and air to and views from adjacent properties.

(D) The proposed new or expanding structure will provide for access to light and air from any existing or new residential uses on the subject property.

The provisions of this Paragraph 2 of Subsection (e) shall not preclude such additional conditions as are deemed necessary by the Zoning Administrator to further the purposes of this Section.



(f) Reduction of Requirements in the North of Market Residential Special Use District. The rear yard requirement may be substituted with an equivalent amount of open space situated anywhere on the site provided that the Zoning Administrator determines that all of the following criteria are met:

(1) The substituted open space in the proposed new or expanding structure will improve the access of light and air to and views from existing abutting properties; and

(2) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.

This provision shall be administered pursuant to the notice and hearing procedures which are applicable to variances as set forth in Sections 306.1 through 306.5 and 308.2.

(g) Reduction of Requirements in South of Market RED, SPD, RSD, SLR, SLI and SSO Districts. (1) General. The rear yard requirement described in Subsection (a)(1) above may be modified by the Zoning Administrator for any building in a RED, SPD, RSD, SLR, SLI or SSO District pursuant to Section 307(g) of this Code provided that all of the following criteria are met:

(A) A comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents and provides a more pleasant open space resource which is sunlit, quiet and protected from adverse wind conditions; and

(B) The proposed new or expanded structure will not significantly impede the access of light and air to and views from abutting properties; and

(C) The proposed new or expanded structure will not break up the pattern of interior block open space formed by the rear yards of abutting properties.

(D) The applicant shall provide to the Zoning Administrator accurate site plans, photographs, property surveys and/or other materials as deemed necessary by the Zoning Administrator to show existing rear yard and open space patterns within the vicinity of the subject parcel.

(2) Corner Lots and Lots at Alley Intersections. The rear yard requirement described in Subsection (a)(1) above may be modified by the Zoning Administrator for any corner lot, or lot at the intersection of a street and an alley at least 25 feet wide, in a South of Market RED, SPD, RSD, SLR, SLI or SSO District pursuant to Section 307(g) of this Code, provided the modification could be approved pursuant to the criteria described in Section 134(e)(2) in an NC district.

[Section 134.1 is unchanged.]

SEC. 135. USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING, R, NC, MIXED USE, C, AND M DISTRICTS. Except as provided in Sections 134.1, 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in R, NC, C, Mixed Use, and M Districts according to the standards set forth in this Section.

(a) **Character of Space Provided.** Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this Section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the

best practical use of available sun and other climatic advantages. "Private usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing). In the Rincon Hill Special Use District, Residential Subdistrict, open space shall be provided as specified in Section 249.1(c)(4).

(b) Access. Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:

(1) Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, with no more than one story above or below such floor level with convenient private access.

(2) Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.

(c) Permitted Obstructions. In the calculation of either private or common usable open space, those obstructions listed in Sections 136 and 136.1 of this Code for usable open space shall be permitted.

(d) Amount Required. Usable open space shall be provided for each building in the amounts specified herein and in Table 135 for the district in which the building is located; provided, however, that in the Rincon Hill Special Use District, Residential Subdistrict, open space shall be provided in the amounts specified in Section 249.1(c)(4).

In Neighborhood Commercial Districts, the amount of usable open space to be provided shall be the amount required in the nearest Residential District, but the minimum amount of open space required shall be in no case greater than the amount set forth in Table 135 for the district in which the building is located. The distance to each Residential District shall be measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever requires less open space.

(1) For dwellings, except as provided in Paragraph (d)(3) below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.

(2) For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as specified in Paragraph (d)(1) above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(3) For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be

provided for use by each dwelling unit shall be 1/2 the amount required for each dwelling unit as specified in Paragraph (d)(1) above.

(e) Slope. The slope of any area credited as either private or common usable open space shall not exceed five percent.

(f) Private Usable Open Space: Additional Standards.

(1) Minimum Dimensions and Minimum Area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.

(2) Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:

TABLE 135

MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio Of Common Usable Open Space That May Be Substituted For Private
RH-1(D), RH-1	300	1.33
RH-1(S)	300 for first unit; 100 for minor second unit	1.33
RH-2	125	1.33
RH-3	100	1.33
RM-1, RC-1	100	1.33
RM-2, RC-2, <u>SPD</u>	80	1.33
RM-3, RC-3, <u>RED</u>	60	1.33
RM-4, RC-4, <u>RSD</u>	36	1.33
C-3, C-M, <u>SLR, SLI, SSO</u>	36	1.33
M-1, M-2		
C-1, C-2	Same as for the R District establishing the dwelling unit density ratio for the C-1 or C-2 District property	
NC-1, NC-2, NC-S, Sacramento Street, West Portal Avenue	100	1.33
NC-3, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street, 24th Street-Mission, 24th Street-Noe Valley	80	1.33
Broadway, Hayes-Gough, Upper Market Street, North Beach, Polk Street	60	1.33

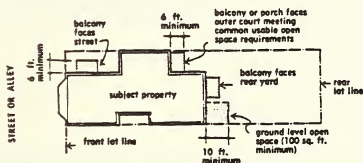
TABLE 135 (Continued)

MINIMUM USABLE OPEN SPACE FOR DWELLING UNITS AND GROUP HOUSING

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio Of Common Usable Open Space That May Be Substituted For Private
Chinatown Community Business,	48	1.00
Chinatown Residential Neighborhood Commercial,		
Chinatown Visitor Retail		

(A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.

(B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 135(g)(1) below.



(C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)(2)(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 135(c) above.

(3) **Fire Escapes as Usable Open Space.** Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire

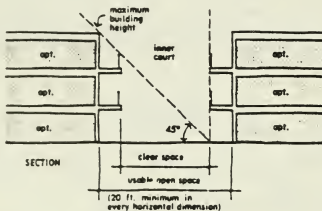
exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

(4) Use of Solariums. In C-3 Districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(g) Common Usable Open Space: Additional Standards.

(1) Minimum Dimensions and Minimum Area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

(2) Use of Inner Courts. The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 135(c) above) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.



(3) Use of Solariums. The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area; provided, however, that in the Rincon Hill Special Use District, Residential Subdistrict, open space credit for solariums shall be as provided in Section 249.1(c)(4)(E).

[Sections 135.1 and 135.2 are unchanged.]

SEC. 135.3 USABLE OPEN SPACE FOR USES OTHER THAN DWELLING UNITS, GROUP HOUSING AND LIVE/WORK UNITS WITHIN THE RED, RSD, SPD, SLR, SLI AND SSO DISTRICTS. (a) Amount of Open Space Required. All newly constructed structures, all structures to which gross floor area equal to 20% or more of existing gross floor area is added, and all structures in the SSO District within which floor area is converted to office use other than office use accessory to a non-office use shall provide and maintain usable open space for that part of the new, additional or converted square footage which is not subject to Sections 135.1 and 135.2 as follows:

TABLE 135.3

MINIMUM USABLE OPEN SPACE REQUIREMENTS
FOR USES OTHER THAN DWELLING UNITS, GROUP
HOUSING AND LIVE/WORK UNITS
IN RED, RSD, SPD, SLR, SLI AND SSO DISTRICTS

<u>Use</u>	<u>Square Feet of Usable Open Space Required</u>
<u>Retail, eating and/or drinking establishments, personal service, wholesale, home and business service, arts activities, institutional and like uses</u>	<u>1 sq.ft. per 250 sq.ft. of occupied floor area of new or added square footage</u>
<u>Manufacturing and light in- dustrial, storage without distribution facilities, and like uses</u>	<u>1 sq.ft. per 120 gross sq.ft. of occupied floor area of new or added square footage.</u>
<u>Office use</u>	<u>1 sq.ft. per 90 sq.ft. of occupied floor area of new, converted or added square footage.</u>

In addition, open space shall be provided for uses not listed in this subsection and Table, other than live/work units, dwelling units and group housing, in the amount required for the listed use determined by the Zoning Administrator to be most similar to the unlisted use in question.

(b) Types of Open Space. Usable open space shall satisfy the requirements of Section 135(a), except that it may also be provided as one or more of the following areas: a rooftop or podium level yard, garden or sun deck.

(c) Character of Space Provided. The required open space shall:

(1) Be in such locations and provide such ingress and egress as will make the area convenient, safe, secure and easily accessible to the general public;

(2) Be protected from uncomfortable wind, and where appropriate, be landscaped;

(3) Incorporate various features, including ample seating and, if appropriate, access to food service, which will enhance public use of the area;

(4) Be well signed and accessible to the public weekdays from 8:00 a.m. to 6:00 p.m., except when provided off-site in which case it shall be accessible to the public at all times unless otherwise designated by a City agency which has jurisdiction over the area in which the open space is located;

(5) Have adequate access to sunlight if sunlight access is appropriate to the type of area;

(6) Be well lighted if the area is of the type requiring artificial illumination;

(7) Be designed to enhance user safety and security; and

(8) Be of sufficient size to be attractive and practical for its intended use.

(d) Permitted Obstructions. Permitted obstructions for open space required under this Section shall include the following as well as those described in Section 136 of this Code:

(1) Benches, tables, chairs, and other street furniture;

(2) Street trees, bollards, planter boxes and tree tubs, toilets, faucets, and related enclosures, landscape features and other similar features provided that these additional obstructions do not exceed ten (10) percent of the total usable open space floor area requirement;

(3) Wind screens, canopies, and other appropriate architectural features not containing enclosed space and necessary to provide wind protected sitting and walkway features; and

(4) Temporary, small-scale pedestrian-oriented convenience establishments such as movable beverage and/or food stands, outdoor cafes, newsstands, or flower stands provided that all such activities along with other permitted obstructions combined do not exceed thirty (30) percent of the total usable open space requirement when provided on private property and do not exceed 10 percent of the designated area of the public right-of-way or other approved space when provided on public lands.

(e) Alternative Means of Satisfying the Open Space Requirement.

(1) If an open space satisfying the requirements and standards of subsections (b) and (c) cannot be created because of constraints of the development site, or the project cannot provide safe, convenient access to the public, or the square footage of open space is not sufficient to provide a usable open space, the Zoning Administrator may authorize, as an eligible type of open space, a pedestrian mall or walkway within a public right of way which is improved with paving, landscaping, and street furniture appropriate for creating an attractive area for sitting and walking.

(2) If an open space satisfying the requirements and standards of this Section cannot be created because of constraints of the development site, or the project cannot provide safe, convenient access to the public, or the square footage of open space to be provided is not sufficient, and if the options authorized by paragraph (1) above are found to be infeasible at the time of the project application, the Zoning Administrator, upon application by the proposed developer pursuant to Section 307(g), may waive the requirement that an open space be provided. It shall be a condition of any such waiver that the proposed developer pay, taking into account square footage subject to this Section, the amount of \$.67 per gross square foot of floor area devoted to retail sales, wholesale, personal service or institutional activities, or home or business service activities; \$1.35 per gross square foot of space devoted to manufacturing or light industrial activities within the structure and \$1.80 per gross square foot of office activities within the structure.

These amounts shall be adjusted annually effective April 1 of each calendar year by the percentage of change in the Building Cost Index of the Cost Indices for Twenty Cities published by McGraw Hill Inc., or a successor index, for the preceding calendar year. This payment shall be paid in full to the City prior to the issuance of any temporary or other certificate of occupancy for the subject property. Funds received on account of any such payment shall be deposited in the South of Market Open Space Fund established pursuant to the San Francisco Administrative Code.

(f) Costs and Restrictions. All costs of the open space, including without limitation those associated with design, development, liability insurance, regular maintenance, and safe operation of this open space, shall be borne by the property owner. Liability insurance satisfactory to the Department, naming the City and County of San Francisco and its officers and employees as additional insureds, shall be provided for all such spaces. The property owner shall record with the County Recorder a special restriction on the property satisfactory in substance to the Department and sufficient to give notice to subsequent owners, tenants and other persons having other economic interests in the property of the open space requirement and the means by which the requirement has been, and must continue to be, satisfied. Additionally, the property owner shall prominently post and maintain a plaque at the entrance to the open space area which declares that the area is open to the public.

(g) Approval and Construction. The design and location of proposed open space and its ability to fulfill public open space needs shall be reviewed and determined as part of the site or building permit application for the project in question. The Department shall consider those standards listed in subsection (c) which are applicable as part of its decision to approve or disapprove the proposed open space. The open space shall be constructed pursuant to the relevant permit, and no temporary or other certificate of occupancy shall be issued for any structure constructed under the permit until the open space is complete.

(h) Exemptions. Private or public parking structures and change of use or additions to an existing structure which are limited to uses operating solely during nighttime hours and for which public access to open space cannot feasibly be provided during daytime hours pursuant to Subsection (c)(4), shall be exempt from this open space requirement.

Streets and Alleys	Setbacks	Yards	Usable Open Space

**SEC. 136. OBSTRUCTIONS OVER
STREETS AND ALLEYS AND IN REQUIRED
SETBACKS, YARDS AND USABLE OPEN SPACE.**

(a) The following obstructions shall be permitted, in the manner specified, as indicated by the symbol "X" in the columns at the left, within the required open areas listed herein:

(1) Projections from a building or structure extending over a street or alley as defined by this Code. Every portion of such projections over a street or alley shall provide a minimum of 7 1/2 feet of vertical clearance above which it is situated, or such greater vertical clearance as may be required by the San Francisco Building Code, unless the contrary is stated below. The permit under which any such projection over a street or alley is erected over public property shall not be construed to create any perpetual right but is a revocable license;

(2) Obstructions within legislated set-back lines and front set-back areas, as required by Sections 131 and 132 of this Code;

(3) Obstructions within side yards and rear yards, as required by Sections 133 and 134 of this Code;

(4) Obstructions within usable open space, as required by Section 135 of this Code.

(b) No obstruction shall be constructed, placed or maintained in any such required open area except as specified in this Section.

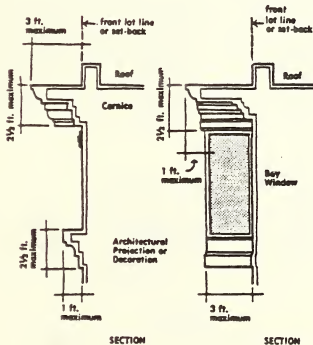
(c) The permitted obstructions shall be as follows:

Streets and Alleys	X
Setbacks	X
Yards	X
Usable Open Space	X

(1) Overhead horizontal projections (leaving at least 7 1/2 feet of headroom) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than:

(A) At roof level, three feet over streets and alleys and into set-backs, or to a perimeter in such required open areas parallel to and one foot outside the surfaces of bay windows immediately below such features, whichever is the greater projection,

(B) At every other level, one foot over streets and alleys and into set-backs; and



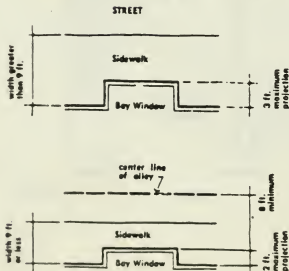
Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X

(C) Three feet into yards and usable open space, or 1/6 of the required minimum dimensions (when specified) of such open areas, whichever is less;

(2) Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)(3) below shall be permitted as an alternative to those specified in this Paragraph (c)(2).

(A) The minimum headroom shall be 7 1/2 feet.

(B) Projection into the required open area shall be limited to three feet, provided that projection over streets and alleys shall be further limited to two feet where the sidewalk width is nine feet or less, and the projection shall in no case be closer than eight feet to the center line of any alley.



Streets and Alleys	Setbacks	Yards	Usable Open Space

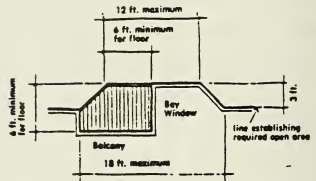
(C) The glass areas of each bay window, and the open portions of each balcony, shall be not less than 50 per cent of the sum of the areas of the vertical surfaces of such bay window or balcony above the required open area. At least 1/3 of such required glass area of such bay window, and open portions of such balcony, shall be on one or more vertical surfaces situated at an angle of not less than 30 degrees to the line establishing the required open area. In addition, at least 1/3 of such required glass area or open portions shall be on the vertical surface parallel to, or most nearly parallel to, the line establishing each open area over which the bay window or balcony projects.

(D) The maximum length of each bay window or balcony shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15-foot dimension, reaching a maximum of nine feet along a line parallel to and at a distance of three feet from the line establishing the required open area.



Streets and Alleys	
Setbacks	
Yards	
Usable Open Space	

(E) Where a bay window and a balcony are located immediately adjacent to one another, and the floor of such balcony in its entirety has a minimum horizontal dimension of six feet, the limitations of Subparagraph (c)(2)(D) above shall be increased to a maximum length of 18 feet at the line establishing the required open area, and a maximum of 12 feet along a line parallel to and at a distance of three feet from the line establishing the required open area.



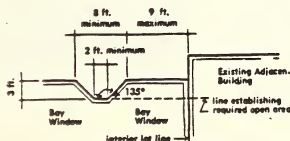
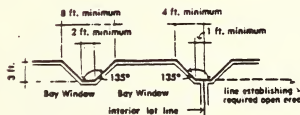
Streets and Alleys	
Setbacks	
Yards	
Usable Open Space	

(F) The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies (except where a bay window and a balcony are located immediately adjacent to one another, as provided for in Subparagraph (c)(2)(E) above), shall be two feet at the line establishing the required open area, and shall be increased in proportion to the distance from such line by means of 135-degree angles drawn outward from

Streets and Alleys	
Setbacks	
Yards	
Usable Open Space	

the ends of such two-foot dimension, reaching a minimum of eight feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

(G) Each bay window or balcony over a street or alley, set-back or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135-degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area.



Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	X

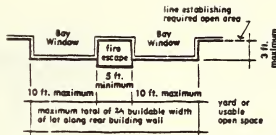
(3) Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)(2) above shall be permitted as an alternative to those specified in this Paragraph (c)(3).

(A) The minimum headroom shall be 7 1/2 feet.

(B) Projection into the required open area shall be limited to three feet, or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less.

(C) In the case of bay windows, the maximum length of each bay window shall be 10 feet, and the minimum horizontal separation between bay windows shall be five feet, above all parts of the required open area.

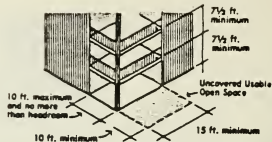
(D) The aggregate length of all bay windows and balconies projecting into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line; in the case of yards, these limits on aggregate length shall apply to the aggregate of all bay windows, balconies, fire escapes and chimneys.



Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X
			X

(4) Fire escapes, leaving at least 7 1/2 feet of headroom exclusive of drop ladders to grade, and not projecting more than necessary for safety or in any case more than four feet six inches into the required open area. In the case of yards, the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line;

(5) Overhead horizontal projections other than those listed in Paragraphs (c)(1), (2), (3) and (4) above, leaving at least 7 1/2 feet of headroom, where the depth of any such projection is no greater than the headroom it leaves, and in no case is greater than 10 feet; and provided that, in the case of common usable open space at ground level, the open space under the projection directly adjoins uncovered usable open space that is at least 10 feet in depth and 15 feet in width;



Streets and Alleys	X	X	X	X	X
Setbacks		X	X	X	X
Yards	X				
Usable Open Space					

(6) Chimneys not extending more than three feet into the required open area or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less; provided, that the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area is no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line;

(7) Temporary occupancy of street and alley areas during construction and alteration of buildings and structures, as regulated by the Building Code and other portions of the Municipal Code;

(8) Space below grade, as regulated by the Building Code and other portions of the Municipal Code;

(9) Building curbs and buffer blocks at ground level, not exceeding a height of nine inches above grade or extending more than nine inches into the required open area;

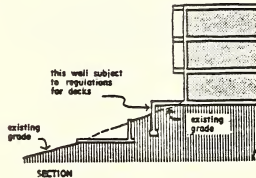
(10) Signs as regulated by Article 6 of this Code, at locations and to the extent permitted therein;

(11) Flagpoles for projecting flags permitted by Article 6 of this Code;

Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X		
	X	X	X

(12) Marquees, awnings and canopies in P, NC, C, ((and)) M, and RSD, SPD, SLR, SLI and SSO districts, as regulated by the Building Code, and as further limited in Section 136.1 in NC districts, and other provisions of this Code;

(13) Retaining walls that are necessary to maintain approximately the grade existing at the time of construction of a building. Other retaining walls and the grade maintained by them shall be subject to the same regulations as decks (see Paragraphs (c)(24) and (c)(25) below);



Streets and Alleys	Setbacks	Yards	Usable Open Space
	X	X	X

(14) Steps of any type not more than three feet above grade, and uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and, in the case of yards and usable open space, extending no more than six feet into the required open area for any portion that is more than three feet

Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	X
	X	X	X
	X	X	X
		X	X
		X	
		X	X
	X	X	X
		X	X
		X	
		X	

above grade, provided that all such stairways and landings shall occupy no more than $\frac{2}{3}$ the buildable width of the lot along a front or rear building wall, $\frac{2}{3}$ the buildable length of a street side building wall, or $\frac{1}{3}$ the length of all open areas along the buildable length of an interior side lot line;

(15) Railings no more than three feet six inches in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area;

(16) Decorative railings and decorative grille work, other than wire mesh, at least 75 percent open to perpendicular view and no more than six feet in height above grade;

(17) Fences no more than three feet in height above grade;

(18) Fences and wind screens no more than six feet in height above grade;

(19) Fences and wind screens no more than 10 feet in height above grade;

(20) Normal outdoor recreational and household features such as play equipment and drying lines;

(21) Landscaping and garden furniture;

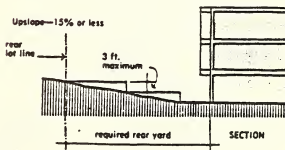
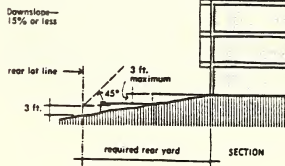
(22) Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land;

(23) Other structures commonly used in gardening activities, such as greenhouses and sheds for storage of garden tools, if no more than eight feet in height above grade and covering no more than 100 square feet of land;

(24) Decks, whether attached to a building or not, at or below the adjacent first floor of occupancy, if developed as usable open space and meeting the following requirements:

Streets and Alleys	Setbacks	Yards	Usable Open Space

(A) Slope of 15 percent or less. The floor of the deck shall not exceed a height of three feet above grade at any point in the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area,

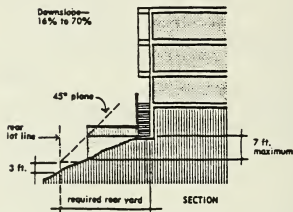


Streets and Alleys	Setbacks	Yards	Usable Open Space

(B) Slope of more than 15 percent and no more than 70 percent. The floor of the deck shall not exceed a height of three feet above grade at any point along any lot line bordering the required open area, nor shall such floor penetrate a plane made by a

Streets and Alleys	Setbacks	Yards	Usable Open Space

vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area, except that when two or more lots are developed with adjacent decks whose floor levels differ by not more than three feet, whether or not the lots will remain in the same ownership, each deck may come all the way to the lot line adjacent to the other deck. In addition, the vertical distance measured up from grade to the floor of the deck shall not exceed seven feet at any point in the required open area.



(C) Slope of more than 70 percent. Because in these cases the normal usability of the required open area is seriously impaired by the slope, a deck covering not more than 1/3 the area of the required open area may be built exceeding the heights specified above, provided that the light, air, view and privacy of adjacent lots are not seriously affected. Each such case shall be considered on its individual merits. However, the following points shall be considered guidelines in these cases:

Streets and Alleys	Setbacks	Yards	Usable Open Space
		X	

(i) The deck shall be designed to provide the minimum obstruction to light, air, view and privacy.

(ii) The deck shall be at least two feet inside all side lot lines.

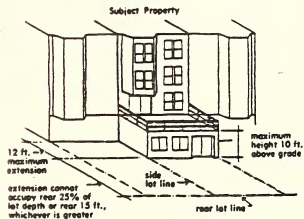
(iii) On downhill slopes, a horizontal angle of 30 degrees drawn inward from each side lot line at each corner of the rear building line shall be maintained clear and the deck shall be kept at least 10 feet inside the rear lot line;

(25) Except in required side yards, decks, and enclosed and unenclosed extensions of buildings, when limited as specified herein:

(A) The structure shall extend no more than 12 feet into the required open area; and shall not occupy any space within the rear 25 percent of the total depth of the lot, or within the rear 15 feet of the depth of the lot, whichever is greater.

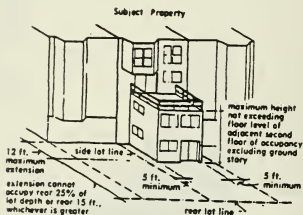
(B) Within all parts of the required open area, the structure shall be limited in height to either:

(i) 10 feet above grade, or



Streets and Alleys	Setbacks	Yards	Usable Open Space

(ii) A height not exceeding the floor level of the second floor of occupancy, excluding the ground story, at the rear of the building on the subject property, in which case the structure shall be no closer than five feet to any interior side lot line,

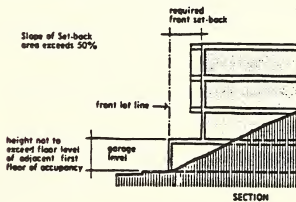


Streets and Alleys	Setbacks	Yards	Usable Open Space
	X	X	

(C) Any fence or wind screen extending above the height specified in Subparagraph (c)(25)(B) shall be limited to six feet above such height; shall be no closer to any interior side lot line than one foot for each foot above such height; and shall have not less than 80 percent of its surfaces above such height composed of transparent or translucent materials;

(26) Garages which are underground, or under decks conforming to the requirements of Paragraph (c)(24) or (c)(25) above, if their top surfaces are developed as usable open space, provided that no such garage shall occupy any area within the rear 15 feet of the depth of the lot;

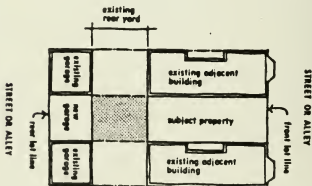
(27) Garages, where the average slope of the required open area ascends from the street lot line to the line at the set-back and exceeds 50 percent, provided the height of the garage is limited to 10 feet above grade, or the floor level of the adjacent first floor of occupancy on the subject property, whichever height is less;



Streets and Alleys	
Setbacks	X
Yards	X
Usable Open Space	

(28) Garages, where both adjoining lots (or the one adjoining lot where the subject property is a corner lot) contain a garage structure within the required set-back line or front set-back area on the same street or alley frontage, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or extension into the required set-back;

(29) Garages, where the subject property is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots (or the one adjoining lot where the subject property is also a corner lot) contain a garage structure adjacent to the required rear yard on the subject property, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or encroachment upon the required rear yard;



Streets and Alleys	Setbacks	Yards	Usable Open Space
X	X	X	
		X	X

(30) Driveways, for use only to provide necessary access to required or permitted parking that is located on the subject property other than in a required open area, and where such driveway has only the minimum width needed for such access((.))₁

(31) In the Outer Clement Street Neighborhood Commercial District, outdoor activity area if used in connection with a commercial use on a contiguous lot and which existed in 1978 and has remained in said use since 1978.

(d) Notwithstanding the limitations of Subsection (c) of this Section, the following provisions shall apply in C-3 districts:

(1) **Decorative Architectural Features.** Decorative architectural features not increasing the interior floor area or volume of the space enclosed by the building are permitted over streets and alleys and into setbacks within the maximum vertical and horizontal dimensions described as follows:

(A) At roof level, decorative features such as cornices, eaves, and brackets may project four feet with a maximum vertical dimension no greater than six feet.

(B) At all levels above the area of minimum vertical clearance required in Subsection (a)(1) above, decorative features, such as belt courses, entablatures, and bosses, may project two feet, with a maximum vertical dimension of four feet.

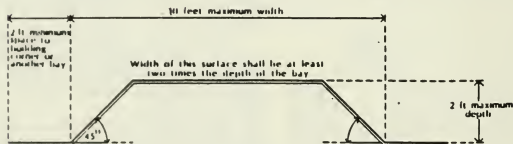
Streets and Alleys	
Setbacks	
Yards	
Usable Open Space	

(C) At all levels above the area of minimum vertical clearance required by Subsection (a)(1) above, vertical decorative features, such as pilasters, columns, and window frames (including pediment and sills), with a cross-sectional area of not more than three square feet at midpoint, may project one foot horizontally.

(2) **Bay Windows.** Notwithstanding the provisions of Subsections (c)(2)(D) and (F) of this Section, bay windows on nonresidential floors of a structure are permitted only if the width of the bay is at least two times its depth, the total width of all bays on a facade plane does not exceed 1/2 of the width of the facade plane, and the maximum horizontal (plan) dimensions of the bay fit within the dimensions set forth in the diagram below.

COMMERCIAL BAY

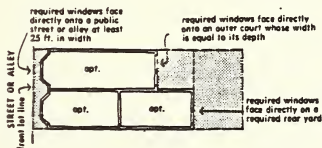
A commercial bay must fit within these dimensions



[Sections 136.1 through 139 are unchanged.]

SEC. 140. ALL DWELLING UNITS TO FACE ON AN OPEN AREA, R, SPD, RSD, SLR, SLI, SSO, NC, C, AND M DISTRICTS. (a) In each dwelling unit in an R, SPD, RSD, SLR, SLI, SSO, NC, C, or M District, the required windows (as defined by Section 501.4 of the San Francisco Housing Code) of at least one room that meets the 120-square foot minimum superficial floor area requirement of Section 501.1 of the Housing Code shall face directly on an open area of one of the following types:

(1) A public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of this Code; provided, that if such windows are on an outer court whose width is less than 25 feet, the depth of such court shall be no greater than its width; or



(2) An open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than four feet six inches, chimneys, and those obstructions permitted in Sections 136(c)(14), (15), (16), (19), (20) and (29) of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

SEC. 141. SCREENING OF ROOFTOP FEATURES R, NC, C, ((AND)) M, SPD, RSD, SLR, SLI AND SSO DISTRICTS. (a) In R, SPD, RSD, NC, C, ((and)) M, SLR, SLI and SSO Districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

(b) In C-3 Districts, whenever the enclosure or screening of the features listed in Section 260(b)(1)(A) and (B), will be visually prominent, modifications may, in accordance with provisions of Section 309, be required in order to insure that: (1) the enclosure or screening is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the rest of the building; (3) if enclosed or screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) the additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

(c) In the Rincon Hill Special Use District and South of Market Base District, mechanical equipment and appurtenances shall be enclosed in such a manner that: (1) the enclosure is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the rest of the building; (3) if screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) the additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

(d) Off-street parking or freight loading spaces shall only be permitted on unenclosed rooftops when the parking area is screened with fencing, trellises and/or other landscaped screening features such that parked vehicles cannot be viewed from adjacent buildings, elevated freeways or public vista points.

[Section 142 is unchanged.]

SEC. 143. STREET TREES, R, SPD, RSD, NC, C-3, SLR, SLI, AND SSO DISTRICTS.

(a) In any R, SPD, RSD, NC, ((or)) C-3, SLR, SLI, or SSO District, street trees shall be installed by the owner or developer in the case of construction of a new building, relocation of a building, or addition of gross floor area equal to 20 percent or more of the gross floor area of an existing building((.)) and, within the RED, SPD, RSD, SLR, SLI and SSO Districts, in the case of change of use of occupied floor area equal to 20 percent or more of the occupied floor area of an existing building.

(b) The street trees installed shall be a minimum of one tree of 15-gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

(c) The species of trees selected shall be suitable for the site, and, in the case of trees installed in the public right-of-way, the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

(d) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 143 may be modified or waived by the Zoning Administrator to the extent necessary.

(e) In C-3 and South of Market Districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement in C-3 districts where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the Master Plan, such as the policy favoring unobstructed pedestrian passage.

[Sections 144 through 146 are unchanged.]

SEC. 147. REDUCTION OF SHADOWS ON CERTAIN PUBLIC OR PUBLICLY ACCESSIBLE OPEN SPACES IN C-3, RSD, SLR, SLI or SSO DISTRICTS. New buildings and additions to existing buildings in C-3 Districts and new buildings and additions to existing buildings in RSD, SLR, SLI or SSO Districts where the new or existing building height exceeds 50 feet shall be shaped, consistent with the dictates of good design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295. In determining the impact of shadows, the following factors shall be taken into account: The amount of area shadowed, the duration of the shadow, and the importance of sunlight to the type of open space being shadowed. Determinations under this Section with respect to C-3 Districts shall be made in accordance with the provisions of Section 309.

[Sections 148 through 150 are unchanged.]

SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES. Off-street parking spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. Where the building or lot contains uses in more than one of the categories listed, parking shall be provided as required in Section 153 of this Code. Where off-street parking is provided which exceeds certain amounts in relation to the quantities specified in this table, as set forth in Section 204.5 of this Code, such parking shall be classified not as accessory parking but as either a principal or a conditional use, depending upon the use provisions applicable to the district in which the parking is located. In considering an application for a conditional use for any such parking, due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157 of this Code.

Table 151

OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
Dwelling, except as specified below	One for each dwelling unit.
Dwelling, <u>RSD</u> , RC-4 and C-3 districts	One for each four dwelling units.
Dwelling, specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code	One-fifth the number of spaces specified above for the district in which the dwelling is located.
Group housing of any kind	One for each three bedrooms or for each six beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required.
Hotel, inn or hostel in NC districts	0.8 for each guest bedroom where the number of guest rooms exceeds five.
Hotel, inn or hostel in districts other than NC	One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit, if any.
Motel	One for each guest unit, plus one for the manager's dwelling unit, if any.
Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit, if any.

Table 151 (Con't)

Use or Activity	Number of Off-Street Parking Spaces Required
Hospital or other in-patient medical institution	One for each eight beds excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement, provided that these requirements shall not apply if the calculated number of spaces is no more than two.
Residential care facility	One for each 10 residents, where the number of residents exceeds nine.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each six classrooms.
Secondary school	One for each two classrooms.
Post-secondary educational institution	One for each two classrooms.
Church or other religious institution	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.
Theater or auditorium	One for each eight seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for <u>each</u> 10 seats in excess of 1,000.
Stadium or sports arena	One for each 15 seats.
Medical or dental office or out-patient clinic	One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

Table 151 (Con't)

Use or Activity	Number of Off-Street Parking Spaces Required
<u>Studios of architects, engineers and other design professionals</u>	<u>One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.</u>
Other business office	One for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, <u>except one for each 750 square feet within the SSO District, where the occupied floor area exceeds 5,000 square feet.</u>
Restaurant, bar, nightclub, pool hall, dance hall, bowling alley or other similar enterprise	One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.

Table 151 (Con't)

Use or Activity	Number of Off-Street Parking Spaces Required
Service, repair or wholesale sales space, <u>including personal, home</u> <u>or business service space</u> <u>in South of Market districts</u>	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Mortuary	Five.
Storage or warehouse space, and space devoted to any use first permitted in an M-2 district	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
Arts activities and spaces except theaters or auditoriums	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
Live/work units	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, except in RH or RM Districts, within which the requirement shall be one space for each live/work unit.

SEC. 152. SCHEDULE OF REQUIRED OFF-STREET FREIGHT LOADING SPACES IN DISTRICTS OTHER THAN C-3 OR SOUTH OF MARKET. In districts other than C-3 and the South of Market Districts, off-street freight loading spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. The measurement of gross floor area shall be as defined in this Code, except that nonaccessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.

Table 152
OFF-STREET FREIGHT LOADING SPACES REQUIRED
(OUTSIDE C-3 AND SOUTH OF MARKET DISTRICTS)

Use ((of)) <u>or</u> Activity	Gross Floor Area of Structure or Use (sq.ft.)	Number of Off- Street Freight Loading Spaces Required
Retail stores,	0- 10,000	0
wholesaling,	10,001- 60,000	1
manufacturing,	60,001-100,000	2
live/work units in newly constructed structures, and all other uses primarily engaged in the handling of goods.	over 100,000	3 plus 1 for each additional 80,000 sq.ft.
Offices, hotels,	0-100,000	0
apartments, live/	100,001-200,000	1
work units not	200,001-500,000	2
included above, and all other uses not included above.	over-500,000	3 plus 1 for each additional 400,000 sq.ft.

SEC. 152.((5))1 REQUIRED OFF-STREET FREIGHT LOADING AND SERVICE VEHICLE SPACES IN C-3 AND SOUTH OF MARKET DISTRICTS. In C-3 and South of Market Districts, off-street freight loading spaces shall be provided in the minimum quantities specified in the following Table 152.((5))1, except as otherwise provided in Sections 153(a)(6) and 161 of this Code. The measurement of gross floor area shall be as defined in this Code, except that nonaccessory parking spaces and driveways and maneuvering areas incidental thereto shall not be counted.

Table 152.((5))1
 OFF-STREET FREIGHT LOADING SPACES REQUIRED
 (IN C-3 AND SOUTH OF MARKET DISTRICTS)

Use ((of)) <u>or</u> Activity	Gross Floor Area of Structure or Use (sq. ft.)	Number of Off- Street Freight Loading Spaces Required
Offices and Banks.		0.1 space per 10,000 sq.ft. of gross floor area (to closest whole number per Section 153)
Retail stores,	0-10,000	0
restaurants,	10,001-30,000	1
bars, <u>nighttime</u>	30,000-50,000	2
<u>entertainment</u> and	over 50,000	1 space per 25,000 sq.ft. of gross floor area (to closest whole number per Section 153)
drug stores.		
Wholesaling,	0-10,000	0
manufacturing, and all	10,001-50,000	1
other uses primarily	over 50,000	0.21 spaces per 10,000 sq.ft. of gross floor area (to closest whole number per Section 153)
engaged in handling goods, <u>and live/work</u> <u>units in newly constructed</u> <u>buildings within South of</u> <u>Market Districts.</u>		
Hotels, apartments,	0-100,000	0
<u>live/work units not</u>	100,001-200,000	1
<u>included above,</u>	200,001-500,000	2
and all other uses	over 500,000	3 plus 1 space for each additional 400,000 sq.ft.
not included above.		

SEC. 153. RULES FOR CALCULATION OF REQUIRED SPACES. (a) In the calculation of off-street parking and freight loading spaces required under Sections 151, 152, and 152.((5))1, the following rules shall apply:

(1) In the case of mixed uses in the same structure, on the same lot or in the same development, or more than one type of activity involved in the same use, the total requirements for off-street parking and loading spaces shall be the sum of the requirements for the various uses or activities computed separately, including fractional values.

(2) Where an initial quantity of floor area, rooms, seats or other form of measurement is exempted from off-street parking or loading requirements, such exemption shall apply only once to the aggregate of that form of measurement. If the initial exempted quantity is exceeded, for either a structure or a lot or a development, the requirement shall apply to the entire such structure, lot or development, unless the contrary is specifically stated in this Code. In combining the requirements for use categories in mixed use buildings, all exemptions for initial quantities of square footage for the uses in question shall be disregarded, excepting the exemption for the initial quantity which is the least among all the uses in question.

(3) Where a structure or use is divided by a zoning district boundary line, the requirements as to quantity of off-street parking and loading spaces shall be calculated in proportion to the amount of such structure or use located in each zoning district.

(4) Where seats are used as the form of measurement, each 22 inches of space on benches, pews and similar seating facilities shall be considered one seat.

(5) When the calculation of the required number of off-street parking or freight loading spaces results in a fractional number, a fraction of 1/2 or more shall be adjusted to the next higher whole number of spaces, and a fraction of less than 1/2 may be disregarded.

(6) In C-3 and South of Market Districts, substitution of two service vehicle spaces for each required off-street freight loading space may be made, provided that a minimum of 50 percent of the required number of spaces are provided for freight loading. Where the 50 percent allowable substitution results in a fraction, the fraction shall be disregarded.

(b) The requirements for off-street parking and loading for any use not specifically mentioned in Sections 151 and 152 shall be the same as for a use specified which is similar, as determined by the Zoning Administrator.

SEC. 154. MINIMUM DIMENSIONS FOR REQUIRED OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE SPACES.(a)Parking Spaces.

(1) Every required off-street parking space shall have a minimum area of 160 square feet, except as specified in Paragraph (a)(2) below. Every required space shall be of usable shape. The area of any such space shall be exclusive of driveways, aisles and maneuvering areas.

(2) In the case of any structure or use for which four or more off-street parking spaces are required, the fourth such space may be a compact car space, and for each two spaces required in excess of four the second such space may be a compact car space. For this purpose every compact car space shall have a minimum area of 127.5 square feet and shall be specifically marked and identified as a compact car space. For dwelling units or group housing within RED, SPD, RSD, SLR, SLI or SSO Districts, 100 percent compact sizes shall be permitted.

(3) Ground floor ingress and egress to any off-street parking spaces provided for a structure or use, and all spaces to be designated as preferential carpool or van pool parking, and their associated driveways, aisles and maneuvering areas, shall maintain a minimum vertical clearance of seven feet.

(b) **Freight Loading and Service Vehicle Spaces.** Every required off-street freight loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet, except as provided below.

(1) Minimum dimensions specified herein shall be exclusive of platform, driveways and maneuvering areas except that minimum vertical clearance must be maintained to accommodate variable truck height due to driveway grade.

(2) The first such space required for any structure or use shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.

(3) Each substituted service vehicle space provided under Section 153(a)(6) of this Code shall have a minimum width of eight feet, a minimum length of 20 feet, and a minimum vertical clearance of seven feet.

SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES. Required off-street parking and freight loading facilities shall meet the following standards as to location and arrangement. In addition, facilities which are not required but are actually provided shall meet the following standards unless such standards are stated to be applicable solely to required facilities. In application of the standards of this Code for off-street parking and loading, reference may be made to provisions of other portions of the Municipal Code concerning off-street parking and loading facilities, and to standards of the Bureau of Engineering of the Department of Public Works. Final authority for the application of such standards under this Code, and for adoption of regulations and interpretations in furtherance of the stated provisions of this Code shall, however, rest with the Department of City Planning.

(a) Every required off-street parking or loading space shall be located on the same lot as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.

(b) Every required off-street parking or loading space shall be located in its entirety within the lot lines of private property.

(c) Every off-street parking or loading space shall have adequate means of ingress from and egress to a street or alley. Every required off-street parking or loading space shall be independently accessible, with the exception of a parking space for a minor second dwelling unit in an RH-1(S) District. In C-3 Districts, if it is found, in accordance with the provisions of Section 309, that independently accessible spaces are infeasible due to site constraints, or if it is found in South of Market Districts, pursuant to Section 307(g) of this Code, that independently accessible spaces for non-residential activities are infeasible due to site constraints or that valet parking would provide a more convenient and efficient means of serving business clients, the substitution of attendant parking spaces for independently accessible spaces may be approved. Access to off-street loading spaces shall be from alleys in preference to streets.

In C-3 Districts, where there is a choice, access to off-street parking and loading spaces shall be from streets and alleys which are not part of the pedestrian network and minor streets rather than transit preferential streets or major arterial streets, all as identified in the Downtown Plan, a component of the Master Plan.

Adequate reservoir space shall be provided on private property for entrance of vehicles to off-street parking and loading spaces, except with respect to spaces independently accessible directly from the street.

(d) All off-street freight loading and service vehicle spaces in the C-3-O, C-3-R, ((and)) C-3-G, and South of Market Districts shall be completely enclosed and access from a public street or alley shall be provided by means of a private service driveway, which is totally contained within the structure. Such a private service driveway shall include adequate space to maneuver trucks and service vehicles into and out of all provided spaces, and shall be designed so as to facilitate access to the subject property while minimizing interference with street and sidewalk circulation. Any such private service driveway shall be of adequate width to accommodate drive-in movement from the adjacent curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if an adjacent street or alley is determined to be primarily used for building service, ((up to four spaces may be allowed,)) pursuant to the provisions of Section 309 in a C-3-O, C-3-R or C-3-G District, or the provisions of Section 307(g) in a South of Market District, up to four spaces may be allowed to be individually accessible directly from such a street or alley ((which is primarily used for building service)).

(e) In a C-3 or South of Market District, where site constraints would make a consolidated freight loading and service vehicle facility impractical, service vehicle spaces required by Sections 153(a)(6) and 154(b)(3) of this Code may be located in a parking garage for the structure or other location separate from freight loading spaces.

(f) In a C-3 or South of Market District, whenever off-street freight loading spaces are provided, freight elevators immediately accessible from the loading dock shall be provided to all floors which contain uses that are included in the calculation of required number of freight loading spaces. If freight loading facilities are subterranean, the location and operation of freight elevators shall be designed, where feasible, to discourage use of freight elevators for deliveries from the ground floor. Directories of building tenants shall be provided at all freight elevators. A raised loading dock or receiving area shall be provided with sufficient dimensions to provide for short-term storage of goods. All required freight loading and service vehicle spaces shall be made available only to those vehicles at all times, and provision shall be made to minimize interference between freight loading and service operations, and garbage dumpster operations and storage.

(g) In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel in a C-3 District, whether classified as an accessory or conditional use, which are otherwise available for use for long-term parking by downtown workers shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods.

(h) The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly marked.

(i) For each 25 off-street parking spaces provided, one such space shall be designed and designated for handicapped persons.

(j) For each 20 off-street parking spaces provided, one space shall be provided for parking of a bicycle.

(k) Off-street parking and loading facilities shall be arranged so as to prevent encroachments upon sidewalk areas and adjacent properties, in the maneuvering, standing and storage of vehicles, by means of the layout of facilities and by use of bumper or wheel guards or such other devices as are necessary.

(l) Driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements.

(m) Every off-street parking or loading facility shall be suitably graded, surfaced, drained and maintained.

(n) Off-street parking and loading spaces shall not occupy any required open space, except as specified in Section 136 of this Code.

(o) No area credited as all or part of a required off-street parking space shall also be credited as all or part of a required off-street loading space, or used as all or part of an unrequired off-street loading space. No area credited as all or part of a required off-street loading space shall also be credited as all or part of a required off-street parking space, or used as all or part of an unrequired off-street parking space.

(p) Any off-street freight loading area located within 50 feet of any R District shall be completely enclosed within a building if such freight loading area is used in regular night operation.

(q) Rooftop parking shall be screened as provided in Section 141(d) of this Code.

SEC. 156. PARKING LOTS. (a) A "parking lot" is hereby defined as an off-street open area or portion thereof solely for the parking of passenger automobiles. Such an area or portion shall be considered a parking lot whether or not on the same lot as another use, whether or not required by this Code for any structure or use, and whether classified as an accessory, principal or conditional use.

(b) Where parking lots are specified in Articles 2 or 7 of this Code as a use for which conditional use approval is required in a certain district, such conditional use approval shall be required only for such parking lots in such district as are not qualified as accessory uses under Section 204.5 of this Code. The provisions of this Section 156 shall, however, apply to all parking lots whether classified as accessory, principal or conditional uses.

(c) In considering any application for a conditional use for a parking lot for a specific use or uses, where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5 of this Code, the City Planning Commission shall consider the criteria set forth in Section 157.

(d) Any parking lot for the parking of two or more automobiles which adjoins a lot in any R District, or which faces a lot in any R District across a street or alley, shall be screened from view therefrom, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.

(e) Any parking lot for the parking of 10 or more automobiles within the C-3-O, C-3-R, C-3-S, or C-3-G Districts shall be screened from view from every street, except at driveways necessary for ingress and egress, by a solid fence, a solid wall, or a compact evergreen hedge, not less than four feet in height.

(f) All artificial lighting used to illuminate a parking lot for any number of automobiles in any R, NC, C, or South of Market District(s) shall be so arranged that all direct rays from such lighting fall entirely within such parking lot.

(g) No parking lot for any number of automobiles shall have conducted upon it any dead storage or dismantling of vehicles, or any repair or servicing of vehicles other than of an emergency nature.

(h) No permanent parking lot shall be permitted in C-3-O, C-3-R, and C-3-G Districts; temporary parking lots may be approved as conditional uses pursuant to the provisions of Section 303 for a period not to exceed two years from the date of approval; permanent parking lots in C-3-S Districts shall be permitted only as a conditional use.

(i) Any parking lot approved pursuant to zoning categories .25, .27 and .29 of Sections 813 through 818 of this Code shall be screened from views from every street, except at driveways necessary for ingress and egress, by a solid fence or a solid wall not less than four feet in height, except where this requirement would prevent otherwise feasible use of the subject lot as an open space or play area for nearby residents.

[Sections 157 through 160 are unchanged.]

SEC. 161. EXEMPTIONS FROM OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE REQUIREMENTS. The following exemptions shall apply to the requirements for off-street parking and loading spaces set forth in Sections 151 through 155 of this Code. These provisions, as exemptions, shall be narrowly construed.

(a) No off-street parking shall be required for a one-family or two-family dwelling where the lot on which such dwelling is located is entirely inaccessible by automobile because of topographic conditions.

(b) No off-street loading shall be required where access to the lot cannot be provided other than by means of a driveway across a sidewalk 25 feet or more in width from the curb to the front lot line which would cause serious disruption to pedestrian traffic.

(c) In recognition of the compact and congested nature of the downtown area and portions of Chinatown, the accessibility of this area by public transit, and programs for provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use, other than dwellings where a requirement is specified, in any C-3, Chinatown Visitor Retail, or Chinatown Residential Neighborhood Commercial Districts.

(d) In recognition of the small scale of development, the desirability of retention and conversion of many existing buildings of established character, the need to relieve congestion, and the provision of public parking facilities on an organized basis at specific locations, no off-street parking shall be required for any use other than dwellings in the Chinatown Community Business District, where the size of the lot does not exceed 20,000 square feet.

(e) In recognition of the close neighborhood orientation of the uses provided for in Residential-Commercial Combined Districts of high density, no off-street parking shall be required for any principal use in an RC-4 District for which the form of measurement is occupied floor area, where the occupied floor area of such use does not exceed 10,000 square feet.

(f) In recognition of the policies set forth in The Plan for the Northeastern Waterfront, a part of the Master Plan, the unique nature of the area and the difficulty of providing vehicular access thereto, the City Planning Commission in specific cases may determine an appropriate reduction in off-street parking requirements in the Northern Waterfront Special Use District Number 1 as described in Section 240.1 of this Code, in authorizing any conditional use under that section. In considering any such reduction, the City Planning Commission shall consider the following criteria:

(1) The anticipated parking demand to be generated by the particular use contemplated;

(2) Accessibility to the proposed site from freeway ramps or from major thoroughfares;

(3) Minimization of conflict of vehicular and pedestrian movements;

(4) The service patterns of forms of transportation other than the automobile;

(5) The pattern of land uses and the availability of parking in the vicinity;

(6) The policies set forth in The Plan for the Northeastern Waterfront, including policies concerning the relative emphasis that should be given to pedestrian and vehicular movement; and

(7) Such other criteria as may be deemed appropriate in the circumstances of the particular case.

(g) In instances in which all public agencies involved have certified by resolution that the requirements of this Code (i) will be satisfied in whole or in part by public off-street parking facilities constructed or authorized to be constructed for a special assessment district or upon any other basis, or (ii) in C-3 and NC Districts will be satisfied by a requirement of a cash contribution in an amount deemed sufficient to provide for the future construction of the required number of parking stalls, off-street parking required for individual buildings and uses may be correspondingly reduced if the total off-street parking supply in the area will nevertheless meet the requirements of this Code for all buildings and uses in the area.

(h) The off-street parking requirements for dwelling units in the North of Market Residential Special Use District, as described in Section 249.5 of this Code, may be reduced by the City Planning Commission pursuant to the procedures for conditional use authorization set forth in Section 303 of this Code. In acting upon any application for a reduction of requirements, the City Planning Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the reduction if it finds that:

(1) The reduction in the parking requirement is justified by the reasonably anticipated auto usage by residents of and visitors to the project; and

(2) The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity.

(i) In recognition of the fact that site constraints in C-3 Districts may make provision of required freight loading and service vehicle spaces impractical or undesirable, a reduction in or waiver of the provision of freight loading and service vehicle spaces for uses in C-3 Districts may be permitted, in accordance with the provisions of Section 309 of this Code. In considering any such reduction or waiver, the following criteria shall be considered:

(1) Provision of freight loading and service vehicle spaces cannot be accomplished underground because site constraints will not permit ramps, elevators, turntables and maneuvering areas with reasonable safety;

(2) Provision of the required number of freight loading and service vehicle spaces on-site would result in the use of an unreasonable percentage of ground-floor area, and thereby preclude more desirable use of the ground floor for retail, pedestrian circulation or open space uses;

(3) A jointly used underground facility with access to a number of separate buildings and meeting the collective needs for freight loading and service vehicles for all uses in the buildings involved, cannot be provided; and

(4) Spaces for delivery functions can be provided at the adjacent curb without adverse effect on pedestrian circulation, transit operations or general traffic circulation, and off-street space permanently reserved for service vehicles is provided either on-site or in the immediate vicinity of the building.

(j) The off-street parking requirements for dwelling units in NC Districts, as described in Article 7 of this Code, may be reduced by the City Planning Commission pursuant to the procedures for conditional use authorization set forth in Section 303 of this Code. In acting upon any application for a reduction of requirements, the City Planning Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c), and may grant the reduction if it finds that:

(1) The reduction in the parking requirement is justified by the reasonably anticipated auto usage by residents of and visitors to the project; and

(2) The reduction in the parking requirement will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity.

(k) For arts activities in the RED, RSD, SPD, SLR, SLI or SSO Districts which will operate primarily during evenings and weekends, the Zoning Administrator may reduce or waive the off-street parking requirement when he or she determines pursuant to Section 307(g) that within an 800 foot walking distance from the site the anticipated demand from the proposed project, in combination with the existing nighttime and/or weekend demand for parking within the same geographic area at the time of the permit application, would not exceed 90 percent of the on-or off-street parking spaces available to the public within the subject area. The applicant shall provide to the Zoning Administrator an acceptable parking survey and study which shows evidence of existing parking resources and demand and anticipated demand generated by the proposed project and nearby land uses. The Zoning Administrator may impose conditions on reduction or waiver of the requirement, including, but not limited to, advertising of nearby transit and parking facilities, requiring valet parking services and/or leasing parking spaces on nearby lots during performance or exhibition activities.

(l) With respect to dwelling units in the RED, SLR, SLI and SSO Districts, the parking requirement may be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines pursuant to Section 307(g) that the reduced parking requirement is sufficient to serve the reasonably anticipated auto ownership by residents of, and auto usage by visitors to, the project.

(m) Beginning on the effective date of Ordinance No. ---- (month date, 1988), within any South of Market District, the Zoning Administrator, upon application pursuant to Section 307(g), may waive or reduce the required off-street parking for any non-residential use where he or she determines that: (1) sufficient spaces to replace the waived or modified requirement will be provided within a parking facility open to the public sponsored by the San Francisco Parking Authority or the City and County of San Francisco; (2) it is anticipated that the replacement spaces will be available not more than ten years after the parking would otherwise first be required to be available; (3) the facility in question is within a walking distance, as defined in Section 159(d), of one-half mile; and (4) the applicant agrees to pay a one time fee of \$15,000 (this amount shall be adjusted annually effective April 1 of each calendar year by the percentage of change in the Building Cost Index of the Cost Indices for Twenty Cities published by McGraw Hill Inc., or a successor index, for the preceding calendar year) for each space as to which the requirement is waived or modified, which fee shall be applied toward construction of parking facilities or related expenses as specified in the South of Market Parking Fund established pursuant to the San

Francisco Administrative Code. No temporary or other certificate of occupancy shall be issued for the structure or use for which the requirement is waived or reduced until the payment in Subsection (4) is paid in full.

(n) Within the South of Market Base District, the required off-street parking for any non-residential principal or conditional use in structures designated as landmarks, as contributory buildings within a historic district identified in the approved South of Market Plan or as significant or contributory buildings pursuant to Article 11 of this Code, may be modified or waived by the Zoning Administrator pursuant to Section 307(g) of this Code when the Landmark Preservation Advisory Board advises that the provision of parking would adversely affect the landmark, significant or contributory character of the structure or that modification or waiver would enhance the economic feasibility of preservation of the landmark or structure.

(o) With respect to dwelling units in the Chinatown Mixed Use Districts, the parking requirement may be reduced to not less than one space for each four dwelling units, if the Zoning Administrator determines pursuant to Section 307(g) that the reduced parking requirement is sufficient to serve the reasonably anticipated auto ownership by residents of and auto usage by visitors to the project.

(p) Within the South of Market Base District, upon approval by the Zoning Administrator pursuant to Section 307(g), the required off-street parking for bars, restaurants, arts, nighttime entertainment and neighborhood-serving retail or personal service activities may be modified, reduced or waived through participation in a Parking Management Program approved by the Zoning Administrator which may include, but need not be limited to, participation in a coordinated off-site satellite parking facilities program, shuttle service, specified signage and designated advertising procedures.

SCM/51

[Section 162 is unchanged.]

SEC. 163 TRANSPORTATION MANAGEMENT PROGRAMS AND TRANSPORTATION BROKERAGE SERVICES IN C-3 AND SOUTH OF MARKET DISTRICTS. (a) Purpose. This Section is intended to assure that adequate measures are undertaken and maintained to minimize the transportation impacts of added office employment in the downtown and South of Market area, in a manner consistent with the objectives and policies of the Master Plan, by facilitating the effective use of transit, encouraging ridesharing, and employing other practical means to reduce commute travel by single-occupant vehicles.

(b) Requirement. (1) For any new building or additions to or conversion of an existing building in C-3 and South of Market Districts where the gross square feet of new, converted or added floor area for office use equals at least 100,000 square feet, the project sponsor shall be required to provide on-site transportation brokerage services for the actual lifetime of the project, as provided in this Subsection. Prior to the issuance of a temporary permit of occupancy (for this purpose Section 149(d) shall apply), the project sponsor shall execute an agreement with the Department of City Planning for the provision of on-site transportation brokerage services and preparation of a transportation management program to be approved by the Director of Planning and implemented by the provider of transportation brokerage services. The transportation management program and transportation brokerage services shall be designed:

((1)) (A) To promote and coordinate effective and efficient use of transit by tenants and their employees, including the provision of transit information and sale of transit passes on-site;

((2)) (B) To promote and coordinate ridesharing activities for all tenants and their employees within the structure or use;

((3)) (C) To reduce parking demand and assure the proper and most efficient use of on-site or off-site parking, where applicable, such that all provided parking conforms with the requirements of Article 1.5 of this Code and project approval requirements;

((4)) (D) To promote and encourage project occupants to adopt a coordinated flex-time or staggered work hours program designed to more evenly distribute the arrival and departure times of employees within normal peak commute periods;

((5)) (E) To participate with other project sponsors in a network of transportation brokerage services for the respective downtown or South of Market area;

((6)) (F) To carry out other activities determined by the Department of City Planning to be appropriate to meeting the purpose of this requirement.

(2) For any new building or additions to or conversion of an existing building in a SSO District where the new, converted or added floor area for office use includes at least 25,000 square feet of gross floor area, but less than 100,000 square feet, the project sponsor shall either provide on-site transportation brokerage services or, alternatively, a similar level of services to project employees through participation with other project sponsors in a coordinated program of transportation brokerage

services in the South of Market area, for the actual lifetime of the project. No temporary or other certificate of occupancy shall be issued for the additional floor area until the project sponsor shall execute an agreement with the Department of City Planning to provide transportation brokerage services. Such services, whether on-site or through participation in a network of other similar organizations, shall at a minimum include, and the sponsor's agreement shall adequately provide for, all activities outlined in subsection (b)(1) above.

[Sections 164 through 176 are unchanged.]

SEC. 178. CONDITIONAL USES. The following provisions shall apply to conditional uses:

(a) **Definition.** For the purposes of this Section, a permitted conditional use shall refer to:

(1) Any use or feature authorized as a conditional use pursuant to Article 3 of this Code, provided that such use or feature was established within the time limits specified as a condition of authorization or, if no time limit was specified, within a reasonable time from the date of authorization; or

(2) Any use or feature which is classified as a conditional use in the district in which it is located and which lawfully existed either on the effective date of this Code, or on the effective date of any amendment imposing new conditional use requirements upon such use or feature; or

(3) Any use deemed to be a permitted conditional use pursuant to Section 179 of this Code.

(b) **Continuation.** Except as provided for temporary uses in Section 205 of this Code, and except where time limits are otherwise specified as a condition of authorization, any permitted conditional use may continue in the form in which it was authorized, or in the form in which it lawfully existed either on the effective date of this Code or the effective date of any amendment imposing new conditional use requirements upon such use or feature, unless otherwise provided in this Section or in Article 2 of this Code.

(c) **Enlargements or Alteration.** A permitted conditional use may not be significantly altered, enlarged, or intensified, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(d) **Abandonment.** A permitted conditional use which is discontinued for a period of three years, or otherwise abandoned, shall not be restored, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(e) **Changes in Use.** The following provisions shall apply to permitted conditional uses with respect to changes in use:

(1) A permitted conditional use may be changed to another use listed in Articles 2, (or) 7 or 8 of this Code as a principal use for the district in which it is located and the new use may thereafter be continued as a permitted principal use.

(2) A permitted conditional use may be changed to another use listed in Articles 2, (or) 7 or 8 of this Code as a conditional use for the district in which the property is located, subject to the other applicable provisions of this Code, only upon approval of a new conditional use application, pursuant to the provisions of Article 3 of this Code.

(3) A permitted conditional use may not be changed to another use not permitted or prohibited by Articles 2, (or) 7 or 8 of this Code. If a permitted conditional use has been wrongfully changed to another use in violation of the foregoing provisions and the violation is not immediately corrected when required by the Zoning Administrator, the wrongful change shall be deemed to be a discontinuance or abandonment of the permitted conditional use.

(4) Once a permitted conditional use has been changed to a principal use permitted in the district in which the property is located, or brought closer in any other manner to conformity with the use limitations of this Code, the use of the property may not thereafter be returned to its former permitted conditional use status, except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(f) Notwithstanding the foregoing provisions of this Section 178, a structure occupied by a permitted conditional use that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition and use without the approval of a new conditional use application, provided that such restoration is permitted by the Building Code, and is started within one year and diligently pursued to completion. Except as provided in Subsection (g) below, no structure occupied by a permitted conditional use that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except upon approval of a new conditional use application pursuant to the provisions of Article 3 of this Code.

(g) None of the provisions of this Section 178 shall be construed to prevent any measures of construction, alteration or demolition necessary to correct the unsafe or dangerous condition of any structure, other feature, or part thereof, where such condition has been declared unsafe or dangerous by the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety, and where the proposed measures have been declared necessary, by such official, to correct the said condition; provided, however, that only such work as is absolutely necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

[Section 179 is unchanged.]

SEC. 180. NONCONFORMING USES, NONCOMPLYING STRUCTURES AND SUBSTANDARD LOTS OF RECORD: GENERAL. The following provisions shall apply to nonconforming uses, noncomplying structures and substandard lots of record:

(a) Such uses, structures and lots are hereby defined as follows:

(1) A "nonconforming use" is a use which existed lawfully at the effective date of this Code, or of amendments thereto, or a live/work unit which existed on the effective date of Ordinance No. (effective month date, 1988) (other than a live/work unit wholly or partly occupying space whose legal use under this Code was then limited to a residential occupancy) and which fails to conform to one or more of the use limitations under Articles 2, 6, (and) 7 and 8 of this Code that then became applicable for the district in which the property is located.

(2) A "noncomplying structure" is a structure which existed lawfully at the effective date of this Code, or of amendments thereto, and which fails to comply with one or more of the regulations for structures, including

requirements for off-street parking and loading, under Articles 1.2, 1.5, 2.5, 6, (and) 7 and 8 of this Code, that then became applicable to the property on which the structure is located.

(3) A "substandard lot of record" is a lot which existed lawfully at the effective date of any requirement of this Code applicable thereto for minimum lot width or area (on December 26, 1946, or through subsequent amendments), and which fails to meet one or more of such requirements. Any lot existing and recorded as a separate parcel in the office of the Assessor or the Recorder at such effective date shall be deemed to be a lot of record under this Code as of such date. Any lot created by merger of such existing lots of record or parts thereof in such a manner as to establish a lesser number of lots, each having an increased area with no reduction in width, or an increased width with no reduction in area, or both an increased area and an increased width, shall also be deemed to be a lot of record under this Code as of the date of such merger.

(b) Such uses, structures and lots, in failing to meet applicable requirements of this Code, are incompatible with the purposes of this Code and with other uses, structures and lots in the City, and it is intended that these uses, structures and lots shall be brought into compliance with this Code as quickly as the fair interests of the parties will permit.

(c) Notwithstanding any other provision of this Code, such uses, structures and lots may be continued, except as otherwise provided in Sections 180 through 189, and subject to the limitations of this Article 1.7.

(d) A mere change of title or possession or right of possession of property, without any other change that is relevant to the restrictions of this Code, shall not terminate the status of a nonconforming use, noncomplying structure or substandard lot of record.

(e) Any structure or use for which a permit was lawfully granted prior to May 2, 1960, pursuant to the City Planning Code provisions in effect on that date, and which was thereafter commenced and completed in accordance with such provisions, shall be deemed to have been a lawfully existing structure or use on that date. Any structure or use for which a permit has been lawfully granted pursuant to the provisions of this Code relating to amendments, and which has thereafter been commenced and completed in accordance with such provisions, shall be deemed to be a lawfully existing structure or use at the time of the amendment that causes it to become a noncomplying structure or a nonconforming use.

(f) Except as specifically provided in this Code to the contrary, every nonconforming use, noncomplying structure and substandard lot of record shall comply with the applicable requirements of this Code, other than those requirements from which such uses, structures and lots are exempted by this Section 180.

(g) Section 606(c) and other provisions of Article 6 of this Code shall regulate the signs permitted for nonconforming uses. In addition, signs which are themselves classified as nonconforming uses and noncomplying structures under this Code shall be governed by Section 604 and other provisions of Article 6 of this Code.

SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION. The following provisions shall apply to nonconforming uses with respect to enlargements, alterations and reconstruction:

(a) A nonconforming use, and any structure occupied by such use, shall not be enlarged, intensified, extended, or moved to another location, with the exception of the construction of a mezzanine within a live/work unit, unless the result will be elimination of the nonconforming use, except as provided in Paragraph (b)(3) below and Section 186.1 of this Code. A nonconforming use shall not be extended to occupy additional space in a structure, or additional land outside a structure, or space in another structure, or to displace any other use, except as provided in Sections 182 and 186.1 of this Code.

(b) A structure occupied by a nonconforming use shall not be constructed, reconstructed or altered, unless the result will be elimination of the nonconforming use, except as provided in Section 186.1 of this Code and in Subsections (a) above and (d), ((and)) (e), (f) and (g) below, and except as follows: (1) Ordinary maintenance and minor repairs shall be permitted where necessary to keep the structure in sound condition, as well as minor alterations, where such work is limited to replacement of existing materials with similar materials placed in a similar manner.

(2) Minor alterations shall be permitted where ordered by an appropriate public official to correct immediate hazards to health or safety, or to carry out newly enacted retroactive requirements essential to health or safety.

(3) Alterations otherwise allowed by this Code shall be permitted for any portion of the structure that will not thereafter be occupied by the nonconforming use, provided the nonconforming use is not enlarged, intensified, extended, or moved to another location.

(4) All other alterations of a structural nature shall be permitted only to the extent that the aggregate total cost of such other structural alterations, as estimated by the Department of Public Works, is less than 1/2 of the assessed valuation of the improvements prior to the first such alteration((.)), except that structural alterations required to reinforce the structure to meet the standards for seismic loads and forces of the Building Code shall be permitted without regard to cost.

(c) A dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units set forth in Sections 207.5, 208, 209.1 or ((Section)) 209.2 of this Code for the district in which it is located shall be classified as a nonconforming use under Section 180 of this Code, but only to the extent that such dwelling or other housing structure exceeds the permitted density. This Section 181 shall apply with respect to enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or other housing structure, consisting of those dwelling units or other housing units which exceed the permitted density. Any dwelling unit or other housing unit coming within the density limit shall not be affected by this Section 181. Except as provided in Section 182(e), no dwelling or other housing structure exceeding the permitted density of dwelling units or other housing units shall be altered to increase the number of dwelling units or other housing units therein, or to increase or create any other nonconformity with respect to the dwelling unit or other housing unit density limitations of Section 209.1 or Section 209.2.

(d) Notwithstanding the foregoing provisions of this Section 181, a structure occupied by a nonconforming use that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be

restored to its former condition and use; provided that such restoration is permitted by the Building Code, and is started within one year and diligently prosecuted to completion. The age of such a structure for the purposes of Sections 184 and 185 shall nevertheless be computed from the date of the original construction of the structure. Except as provided in Subsection (e) below, no structure occupied by a nonconforming use that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the use limitations of this Code.

(e) In order that major life safety hazards in residential structures may be eliminated as expeditiously as possible, a structure containing dwelling units or other housing units exceeding the number permitted by Section 209.1 or Section 209.2 of this Code, and constructed of unreinforced masonry that is inconsistent with the requirements of the San Francisco Building Code effective September 11, 1947, may be voluntarily razed and restored or reconstructed with the same number of residential units; provided that there is no increase in any nonconformity, or any new nonconformity, with respect to the use limitations of this Code; provided further that the current requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met; and provided further than such restoration or reconstruction is started within one year after razing or other demolition work on the structure and diligently prosecuted to completion.

(f) A nighttime entertainment use within the South of Market RSD or SLR Districts may be enlarged, intensified, extended or expanded, including the expansion to an adjacent lot or lots, provided that: (1) the enlargement, intensification, extension or expansion is approved as a conditional use pursuant to Sections 303 and 316 of this Code; (2) the use as a whole meets the parking and signage requirements, floor area ratio limit, height and bulk limit, and all other requirements of this Code which would apply if the use were a permitted one; and (3) specific conditions are met or imposed which, in the judgment of the City agency, board or commission which last exercises jurisdiction to apply this Code to a proposed nighttime entertainment use, are reasonably calculated to insure that patrons of the establishment maintain the quiet, safety, and cleanliness of the premises and vicinity of the use.

(g) Any use located within a South of Market District, which existed on October 2, 1986 and was permitted as a principal or conditional use immediately prior to such date but for which the required building and/or conditional use permits had not been obtained, and which use is not permitted or conditional under this Code as currently in effect, will be deemed to be a nonconforming use if: (1) Promptly upon notification to the owner that the use is not lawful, applications are filed for all permits necessary to bring the use into compliance with applicable City codes, including, when applicable, Section 163(b)(2) and, when applicable, an application for conditional use pursuant to Section 803.5(b) of this Code; and (2) All such permits are granted and all work which is required under all applicable codes is completed prior to expiration of those permits.

SEC. 182. NONCONFORMING USES: CHANGES OF USE. The following provisions shall apply to nonconforming uses with respect to changes of use:

(a) A nonconforming use shall not be changed or modified so as to increase the degree of nonconformity under the use limitations of this Code, with respect to the type of use or its intensity except as provided in Section 181 for nighttime entertainment activities within the South of Market RSD or SLR Districts and in Subsection (f) below. The degree of nonconformity shall be deemed to be increased if the new or modified use is less widely permitted by the use districts of the City than the nonconforming use existing immediately prior thereto.

(b) Except as limited in this Subsection, a nonconforming use may be reduced in size, extent or intensity, or changed to a use that is more widely permitted by the use districts of the City than the existing use, subject to the other applicable provisions of this Code. Except as otherwise provided herein, the new use shall still be classified as a nonconforming use.

(1) A nonconforming use in a Residential District (other than a Residential-Commercial Combined District or an RED District), which use is located more than one quarter mile from the nearest Individual Area Neighborhood Commercial District or Restricted Use Subdistrict described in Article 7 of this Code, may change to another use which is permitted as a principal use at the first story and below in an NC-1 District, or it may change to another use which is permitted as a conditional use at the first story and below in an NC-1 District only upon approval of a conditional use application pursuant to the provisions of Article 3 of this Code. The nonconforming use shall comply with other building standards and use limitations of NC-1 Districts, as set forth in Sections 710.10 through 710.95 of this Code.

If the nonconforming use is located within 1/4 mile from any Individual Area Neighborhood Commercial District or Restricted Use Subdistrict described in Article 7 of this Code, the nonconforming use may change to another use which is permitted as a principal use at the first story and below in an NC-1 District and in the Individual Area Neighborhood Commercial District or Restricted Use Subdistrict or Districts within 1/4 mile of the use, or it may change to another use which is permitted as a conditional use at the first story and below in an NC-1 District and in the Individual Area Neighborhood Commercial District or Districts within 1/4 mile of the use only upon approval of a conditional use application pursuant to the provisions of Article 3 of this Code. The nonconforming use shall comply with other building standards and use limitations of NC-1 Districts and any Individual Area NC District or Districts located within 1/4 mile of the use, as set forth in Article 7 of this Code.

(2) A nonconforming use in a Residential-Commercial Combined District may be changed to another use listed in Articles 2 or 7 of this Code as a principal use for the district in which the existing use would first be permitted as a principal or conditional use.

(3) A nonconforming use in a Neighborhood Commercial District may be changed to another use as provided in Subsections (c) and (d) below or as provided in Section 186.1 of this Code.

(4) A nonconforming use in any district other than a Residential or Neighborhood Commercial District may be changed to another use listed in Articles 2 or 7 of this Code as a principal use for the district in which the existing use would first be permitted as a principal use. This provision shall not apply in the Residential Subdistrict of the Rincon Hill Special Use District.

(5) A nonconforming use in any South of Market district may not be changed to an office, retail, bar, restaurant, nighttime entertainment, adult entertainment, hotel, motel, inn, hostel, or movie theater use in any district where such use is otherwise not permitted or conditional, except as provided in Subsection (g) below.

(c) A nonconforming use may be changed to a use listed in Articles 2 or 7 of this Code as a conditional use for the district in which the property is located, subject to the other applicable provisions of this Code, without the necessity of specific authorization by the City Planning Commission except where major work on a structure is involved, and the new use may thereafter be continued as a permitted conditional use, subject to the limitation of Section ((303(f))) 178(b) of this Code.

(d) A nonconforming use may be changed to a use listed in Articles 2, ((or)) 7 or 8 of this Code as a principal use for the district in which the property is located, subject to the other applicable provisions of this Code, and the new use may thereafter be continued as a permitted principal use.

(e) A nonconforming use in an R district subject to termination under the provisions of Section 185 of this Code may be converted to a dwelling unit without regard to the requirements of this Code with respect to dwelling unit density under Article 2, dimensions, areas and open space under Article 1.2, or off-street parking under Article 1.5, provided the nonconforming use is eliminated by such conversion, provided further that the structure is not enlarged, extended or moved to another location, and provided further that the requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met.

(f) Any nonconforming use in an RED District may change to any use falling within zoning categories 813.36, 813.42 through .47, 813.52, 813.61 or 813.62, subject to the applicable provisions of this Code other than those controlling uses, and the new use may thereafter continue as a nonconforming use.

((f))(g) Once a nonconforming use has been changed to a principal or conditional use permitted in the district in which the property is located, or brought closer in any other manner to conformity with the use limitations of this Code, the use of the property may not thereafter be returned to its former nonconforming status, except that:

(1) A((a))ny area which is used as a live/work unit shall be allowed to return to its former nonconforming status((, provided that)).

(2) Within any South of Market district, any area occupied by a nonconforming office use which is changed to a home and business service use falling within zoning categories 813.42 through .47 or a light manufacturing use falling within zoning category 813.62 shall be allowed to return to its former nonconforming use.

(3) Upon restoration of a previous nonconforming use as permitted by Subsection (1) or (2) above any modification, enlargement, extension, or change of use from circumstances which last lawfully existed prior to the creation of the live/work unit, or, prior to the change from office use, shall be subject to the provisions of this Article, and the restored nonconforming use shall be considered to have existed continuously since its original establishment, prior to the live/work unit or change to office use, for purposes of this Article.

((g))(h) If a nonconforming use has been wrongfully changed to another use in violation of any of the foregoing provisions, and the violation is not immediately corrected when required by the Zoning Administrator, the wrongful change shall be deemed to be a discontinuance or abandonment of the nonconforming use under Section 183 of this Code.

[Sections 183 and 184 are unchanged.]

SEC. 185. CONTINUANCE OF OTHER NONCONFORMING USES. The purpose of this Section is to provide for the gradual elimination or conversion, after a reasonable allowance of time for the amortization of investments therein, of certain classes of nonconforming uses in buildings, in order to encourage and promote the orderly and beneficial development of the land and buildings with conforming uses. The Section is intended to apply to obsolescent buildings whose use is widely at variance with the regulations of this Code, and is safeguarded against unnecessary hardship in application by provision for a minimum period of continuance of 20 years, by procedures for extension and exceptions, and by the requirement of repeated notice as the buildings approach an age indicative of obsolescence. It is further declared that the requirement of eventual removal, or conversion to conforming use of such buildings, subject to the exceptions set forth, is in the public interest and is intended to promote the general welfare.

(a) This ~~((s))~~Section shall apply only to nonconforming uses occupying buildings in R Districts, other than Residential-Commercial Combined Districts, when such uses would first be permitted as a principal or conditional use in an NC, C or M District or in a Residential-Commercial Combined District. It shall not apply to exempt limited commercial and industrial uses meeting the requirements of Section 186, or to any nonconforming use of land or a building whose continuance is more strictly limited by the provisions of Section 184.

(b) Every such building to which this Section applies may be continued in such use for at least 20 years from the effective date of this Code (May 2, 1960), or of the amendment thereto which causes it to be nonconforming, and may be continued for a longer period if it has not yet reached the age hereinafter specified, computed from the date the building was erected. For buildings of Type 1 or Type 2, as defined in the Building Code of the City, the specified age shall be 50 years; for Type 3 buildings it shall be 40 years; and for Type 4 and Type 5 buildings it shall be 30 years.

(c) Upon the expiration of the period specified for each such building, it shall be completely removed or altered and converted to a conforming use, except as hereinafter provided.

(d) Where special circumstances apply to any such building and use, which do not apply generally to others affected hereby, extension of time may be granted under the variance procedure as regulated in Section 305, but no such extension shall be for a period in excess of one year. Successive extensions, subject to the same limitations, may be granted upon new application.

(e) Any unconfirming use affected by this Section shall be qualified for consideration by the City Planning Commission as a conditional use as regulated in Section 303, upon application filed at any time during the period of permitted continuance specified above. In the event that a conditional use is authorized by the City Planning Commission for any such use, the provisions of Sections 180 through 183 shall continue to apply to such use except as specifically provided in the action of the Commission, and no enlargement, intensification or extension of the nonconforming use shall be permitted by the Commission.

(f) The Zoning Administrator shall give notice by mail of the date of expiration of the periods of permitted continuance specified herein to each owner of record within four years of the effective date of this Code, or of the date of the amendment which caused the use to become nonconforming, and shall repeat such notice at approximate intervals of four years thereafter. A final notice shall be given one year before said date of expiration in each instance. The notices shall set forth all pertinent provisions of this Section, including the declared purposes thereof. Failure to send notice by mail to any such owner where the address of such owner is not a matter of public record, or where no Permit of Occupancy for a nonconforming use covered by this Section has been issued as provided in Section 171 of this Code, shall not invalidate any proceedings under this Section.

SEC. 186. EXEMPTION OF LIMITED COMMERCIAL AND INDUSTRIAL NONCONFORMING USES. The purpose of this Section is to provide for the further continuance in R Districts of nonconforming uses of a limited commercial and industrial character, as herein described, which are beneficial to, or can be accommodated within, the residential areas in which they are located. It is hereby found and declared that, despite the general incompatibility of nonconforming uses with the purposes of this Code, and with other nearby uses, these limited commercial uses may be tolerated in residential areas, and tend to provide convenience goods and services on a retail basis to meet the frequent and recurring needs of neighborhood residents within a short distance of their homes or, within the South of Market RED Districts, tend to provide jobs and continuation of small scale service and light industrial activities. These uses tend to be small in scale, to serve primarily a walk-in trade, and cause a minimum of interference with nearby streets and properties. Accordingly, this Section recognizes the public advantages of these uses and establishes conditions for their continued operation.

(a) The following nonconforming uses in R Districts shall be exempt from the termination provisions of Section 185, provided such uses comply with all the conditions specified in Subsection (b) below:

(1) Any nonconforming use at any story in an RH or RM District which is located more than 1/4 mile from the nearest Individual Area Neighborhood Commercial District or Restricted Use Subdistrict described in Article 7 of this Code, and which complies with the use limitations specified for the first story and below of an NC-1 District, as set forth in Sections 710.10 through 710.95 of this Code.

(2) Any nonconforming use in an RH or RM District which is located within 1/4 mile from any Individual Area Neighborhood Commercial District and which complies with the most restrictive use limitations specified for the first story and below of:

(A) NC-1 District, as set forth in Sections 710.10 through 710.95 of this Code; and

(B) Any Individual Area Neighborhood Commercial District within 1/4 mile of the use, as set forth in Sections 714.10 through 729.95 of this Code;

(C) Any Restricted Use Subdistrict within 1/4 mile of the use, as set forth in Sections 781 through 781.6 of this Code.

(3) In the RED Districts, any nonconforming use which is a personal service use falling within zoning category 813.36; home and business service use falling within zoning categories 813.42 through .47; live/work unit falling within zoning category 813.52; wholesale sales use falling within zoning category 813.61; or light manufacturing use falling within zoning category 813.62.

(b) The limited ((commercial)) nonconforming uses described above shall meet the following conditions:

(1) The building shall be maintained in a sound and attractive condition, consistent with the general appearance of the neighborhood;

(2) Any signs on the property shall be made to comply with the requirements of Article 6 of this Code applying to nonconforming uses;

(3) The hours during which the use is open to the public shall be limited to the period between 6:00 a.m. and 10:00 p.m.;

(4) No public sidewalk space shall be occupied in connection with the use;

(5) Truck loading shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features;

(6) Noise, odors and other nuisance factors shall be adequately controlled; and

(7) All other applicable provisions of this Code shall be complied with.

(c) Any use affected by this Section which does not comply with all of the conditions herein specified shall be subject to termination in accordance with Section 185 at the expiration of the period specified in that Section, but shall be qualified for consideration as a conditional use under Section 185(e). Any such use which is in compliance with such conditions at the expiration of such period but fails to comply therewith at any later date shall be subject to termination when it ceases to comply with any of such conditions.

(d) The provisions for nonconforming uses contained in Sections 180 through 183 shall continue to apply to all uses affected by this Section 186, except that the cost limit for structural alterations contained in Section 181(b)(4) shall not be applicable thereto.

[Sections 186.1 through 189 are unchanged.]

ARTICLE 2

USE DISTRICTS

NC Districts are located in Article 7 of this Code

Chinatown and South of Market

Mixed Use Districts are located in Article 8 of this Code

- Sec. 201. Classes of Use Districts.
- Sec. 202. Uses Permitted by this Code.
- Sec. 203. Effect on Certain Public Services.
- Sec. 204. Accessory Uses, General.
- Sec. 204.1. Accessory Uses for Dwellings in R or NC Districts.
- Sec. 204.2. Accessory Uses for Uses Other Than Dwellings in R Districts.
- Sec. 204.3. Accessory Uses in C and M Districts.
- Sec. 204.4. Dwelling Units Accessory to Other Uses.
- Sec. 204.5. Parking and Loading as Accessory Uses.
- Sec. 205. Temporary Uses, General.
- Sec. 205.1. Temporary Uses: Sixty-Day Limit.
- Sec. 205.2. Temporary Uses: One- or Two-Year Limit.
- Sec. 205.3. Temporary Uses: 24 Hour Limit
- Sec. 206. Description and Purpose of Residential Districts.
- Sec. 206.1. RH (Residential, House) Districts.
- Sec. 206.2. RM (Residential, Mixed) Districts.
- Sec. 206.3. RC (Residential-Commercial Combined) Districts.
- Sec. 207. Density of Dwelling Units in R Districts.
- Sec. 207.1. Rules for Calculation of Dwelling Unit Densities.
- Sec. 207.2. Second Units.
- Sec. 207.4. Density of Dwelling Units in Neighborhood Commercial Districts.
- Sec. 207.5. Density of Dwelling Units in Mixed Use Districts.
- Sec. 208. Density Limitations for Group Housing.
- Sec. 209. Uses permitted in R Districts.
- Sec. 209.1. Dwellings.
- Sec. 209.2. Other Housing.
- Sec. 209.3. Institutions.
- Sec. 209.4. Community Facilities.
- Sec. 209.5. Open Recreation and Horticulture.
- Sec. 209.6. Public Facilities and Utilities.
- Sec. 209.7. Vehicle Storage and Access.
- Sec. 209.8. Commercial Establishments.
- Sec. 209.9. Other Uses.
- Sec. 210. Description and Purpose of Commercial and Industrial Districts.
- Sec. 210.1. C-1 Districts: Neighborhood Shopping.
- Sec. 210.2. C-2 Districts: Community Business.
- Sec. 210.3. C-3 Districts: Downtown Commercial.
- Sec. 210.4. C-M Districts: Heavy Commercial.
- Sec. 210.5. M-1 Districts: Light Industrial.
- Sec. 210.6. M-2 Districts: Heavy Industrial.
- Sec. 212. Additional Requirements for Uses in Certain C and M Districts.
- Sec. 213. Uses Permitted in C and M Districts.

- Sec. 215. Dwellings.
- Sec. 216. Other Housing.
- Sec. 217. Institutions.
- Sec. 218. Retail Sales and Personal Services.
- Sec. 218.1. Massage Establishments.
- Sec. 219. Offices.
- Sec. 220. Laundering, Cleaning and Pressing.
- Sec. 221. Assembly and Entertainment((s)).
- Sec. 222. Home and Business Services.
- Sec. 223. Automotive.
- Sec. 224. Animal Services.
- Sec. 225. Wholesaling, Storage, Distribution and Open-Air Handling of Materials and Equipment.
- Sec. 226. Manufacturing and Processing.
- Sec. 227. Other Uses.
- Sec. 234. P Districts.
- Sec. 234.1. Principal Uses Permitted, P Districts.
- Sec. 234.2. Conditional Uses, P Districts.
- Sec. 235. Special Use Districts.
- Sec. 236. Garment Shop Special Use District.
- Sec. 237. Automotive Special Use District.
- Sec. 238. Nob Hill Special Use District.
- Sec. 239. Washington-Broadway Special Use Districts.
- Sec. 240. Northern Waterfront Special Use District.
- Sec. 240.1. Northern Waterfront Special Use District No. 1.
- Sec. 240.2. Northern Waterfront Special Use District No. 2.
- Sec. 240.3. Northern Waterfront Special Use District No. 3.
- Sec. 241. Dolores Heights Special Use District.
- Sec. 248. Downtown Office Special Development District.
- ((Sec. 249. Mid-South of Market Special Use District.))
- Sec. 249E. Mission/Murray Streets Affordable Housing Special Use District.
- Sec. 249.1. Rincon Hill Special Use District.
- Sec. 249.5. North of Market Residential Special Use District.
- Sec. 249.7. 16th and Valencia Streets Affordable Housing Special Use District.

SEC. 201. CLASSES OF USE DISTRICTS. In order to carry out the purposes and provisions of this Code, the City is hereby divided into the following classes of use districts:

- P Public Use Districts
- RH-1(D) Residential, House Districts, One-Family (Detached Dwellings)
- RH-1 Residential, House Districts, One-Family
- RH-1(S) Residential, House Districts, One-Family with Minor Second Unit
- RH-2 Residential, House Districts, Two-Family
- RH-3 Residential, House Districts, Three-Family
- RM-1 Residential, Mixed Districts, Low Density
- RM-2 Residential, Mixed Districts, Moderate Density
- RM-3 Residential, Mixed Districts, Medium Density
- RM-4 Residential, Mixed Districts, High Density

RC-1	Residential-Commercial Combined Districts, Low Density
RC-2	Residential-Commercial Combined Districts, Moderate Density
RC-3	Residential-Commercial Combined Districts, Medium Density
RC-4	Residential-Commercial Combined Districts, High Density

Neighborhood Commercial Districts (Also see Article 7)

General Area Districts

NC-1	Neighborhood Commercial Cluster District
NC-2	Small-Scale Neighborhood Commercial District
NC-3	Moderate-Scale Neighborhood Commercial District
NC-S	Neighborhood Commercial Shopping Center District

Individual Area Districts

Broadway Neighborhood Commercial District
Castro Street Neighborhood Commercial District
Inner Clement Street Neighborhood Commercial District
Outer Clement Street Neighborhood Commercial District
Upper Fillmore Street Neighborhood Commercial District
Haight Street Neighborhood Commercial District
Hayes-Gough Neighborhood Commercial District
Upper Market Street Neighborhood Commercial District
North Beach Neighborhood Commercial District
Polk Street Neighborhood Commercial District
Sacramento Street Neighborhood Commercial District
Union Street Neighborhood Commercial District
Valencia Street Neighborhood Commercial District
24th Street-Mission Neighborhood Commercial District
24th Street-Noe Valley Neighborhood Commercial District
West Portal Avenue Neighborhood Commercial District

Chinatown Mixed Use Districts (Also see Article 8)

CCB	Chinatown Community Business District
CR/NC	Chinatown Residential/Neighborhood Commercial District
CVR	Chinatown Visitor Retail District

C-1	Neighborhood Shopping Districts
C-2	Community Business Districts
C-M	Heavy Commercial Districts
C-3-O	Downtown Office District
C-3-R	Downtown Retail District
C-3-G	Downtown General Commercial District
C-3-S	Downtown Support District
M-1	Light Industrial Districts
M-2	Heavy Industrial Districts

South of Market Use Districts (Also see Article 8)

RED	<u>Residential Enclave Districts</u>
SPD	<u>South Park District</u>
RSD	<u>Residential Service District</u>
SLR	<u>Service/Light Industrial/Residential District</u>
SLI	<u>Service/Light Industrial District</u>
SSO	<u>Service/Secondary Office District</u>

SEC. 202. USES PERMITTED BY THIS CODE. (a) The use limitations of this Code shall be set forth in Articles 2, 6, ((and)) 7 and 8 for the use districts of the City, as established by Sections 201 ((and)) 701 and 801 of this Code and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The uses permitted under this Code shall consist of the following:

(1) Principal uses, permitted as of right in each established district where listed for that class of districts in Articles 2 ((and)) 7 and 8, as regulated herein and elsewhere in this Code.

(2) Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 of this Code, where listed for that class of districts in Articles 2 ((and)) 7 and 8 and as regulated herein and elsewhere in this Code.

(3) Accessory uses for such permitted principal and conditional uses, as defined and regulated in Sections 204 through 204.5 ((and)) Section 703.2(b)(1)(C) and Section 803.3(b)(1)(C) of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use.

(b) Permitted uses shall include in each established district such uses not specifically listed in Articles 2 ((or)) 7 or 8 of this Code as are from time to time determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code. (c) No use shall be permitted in any R District, C District or M-1 District which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

(d) Except as specifically provided herein to the contrary, the provisions of Articles 2 ((and)) 7 and 8 of this Code shall apply to all uses, properties and developments, both public and private, including those of the City and County of San Francisco.

[Sections 203 through 204.5 are unchanged.]

SEC. 205. TEMPORARY USES, GENERAL. (a) The temporary uses listed in Sections 205.1 ((and)) through 205.((2)) 3, where not otherwise permitted in the district, may be authorized as provided herein, up to the time limits indicated. Further time for such uses may be authorized only by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205.1 ((and)) through 205.((2)) 3.

(b) Action upon such uses shall be by the City Planning Commission, subject to all the requirements for conditional uses in Sections 303 and 306 through 306.5 of this Code; except that such uses listed in Section 205.1, ((and)) uses listed in Section 205.2 if located in a C or M District, and uses listed in Section 205.3 within the South of Market Districts, may be authorized by the Zoning Administrator without a public hearing and without a fee being charged.

(c) Wherever a use exists at the effective date of this Code or of an amendment thereto under which such use is classified as a temporary use, or wherever a use is being conducted under a temporary use authorization given prior to such a date, such use may be continued for the maximum term specified therefor, calculated from said effective date or date of authorization. Nosuch use shall continue thereafter unless a temporary use authorization shall have been sought and obtained under a new application. Continuance of a temporary use beyond the date of expiration of the period authorized therefor, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

[Sections 205.1 and 205.2 are unchanged.]

SEC. 205.3 TEMPORARY USES: 24 HOUR LIMIT. Within the South of Market Districts, a temporary use may be authorized for a period not to exceed 24 hours per event once a month for up to twelve events per year per premises for any of the following uses:

(a) A performance, exhibition, dance, celebration or festival requiring a liquor license, dance hall keeper or live entertainment police permit and/or other city permit when sponsored by an organized group of residents and/or business operators in the neighborhood; or

(b) A performance, dance or party requiring a liquor license, dance, live entertainment and/or other city permit, an art exhibit, or other similar exhibition in each case if sponsored by a residential or commercial tenant or group of tenants or owner-occupants of the property or structure in which the temporary use is authorized.

Similar events or exhibitions lasting no more than 24 hours and requiring no City permit shall be permitted without authorization under this Article and without limitation as to frequency, subject to compliance with all other applicable laws.

When multiple events are proposed within the allowable annual time limit and city permits are to be issued to a particular applicant and premises, only one permit need be granted per annual time period.

SEC. 206. DESCRIPTION AND PURPOSE OF RESIDENTIAL DISTRICTS. The following statements of description and purpose outline the main functions of the R (Residential) Districts in the zoning plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code. These districts are established for purposes of implementing the Residence element and other elements of the Master Plan, according to the objectives, principles and policies stated therein. Among these purposes are the following:

(a) Preservation, improvement and maintenance of the existing housing stock through protection of neighborhood environments and encouragement of sound ownership practices and rehabilitation efforts;

(b) Recognition and protection of the architectural characteristics and densities of existing residential areas;

(c) Maximizing of housing choice by assuring the availability of quality owner and rental housing of various kinds, suitable for a whole range of household types, lifestyles and economic levels;

(d) Encouragement of residential development that will meet outstanding community needs, provide adequate indoor and outdoor spaces for its occupants, and relate well to the character and scale of existing neighborhoods and structures; and (e) Promotion of balanced and convenient neighborhoods having appropriate public improvements and services, suitable nonresidential activities that are compatible with housing and meet the needs of residents, and other amenities that contribute to the livability of residential areas.

Additional purposes for South of Market R and Mixed Use Districts are listed in Article 8, Sections 813 through 818 of this Code.

[Sec. 206.1 through 206.3 are unchanged.]

SEC. 207. DENSITY OF DWELLING UNITS IN R DISTRICTS. The density of dwelling units permitted in the various R Districts shall be as set forth in Sections ((209.1, of this Code and in Sections)) 207.1, ((and)) 207.2((.)), 207.5 and 209.1 of this Code. The term "dwelling unit" is defined in Section 102.((6))(7) of this Code.

SEC. 207.1. RULES FOR CALCULATION OF DWELLING UNIT DENSITIES. The following rules shall apply in the calculation of dwelling unit densities under this Code:

(a) The entire amount of lot area per dwelling unit specified in Sections 207.5 or 209.1 of this Code shall be required for each dwelling unit on the lot. Fractional numbers shall be adjusted downward to the next lower whole number of dwelling units.

(b) Where permitted by the provisions of Sections 207.5, 209.1 and 209.2 of this Code, two or more of the dwelling and other housing uses specified in said sections may be located on a single lot, either in one structure or in separate structures, provided that the specified density limits are not exceeded by the total of such combined uses. Where dwelling units and group housing are combined, the maximum permitted density for dwelling units and for group housing shall be prorated to the total lot area according to the quantities of these two uses that are combined on the lot.

(c) Where any portion of a lot is narrower than five feet, such a portion shall not be counted as part of the lot area for purposes of calculating the permitted dwelling density.

(d) No private right-of-way used as the principal vehicular access to two or more lots shall be counted as part of the lot area of any such lot for purposes of calculating the permitted dwelling unit density.

(e) Where a lot is divided by a use district boundary line, the dwelling unit density limit for each district shall be applied to the portion of the lot in that district, and none of the dwelling units attributable to the district permitting the greater density shall be located in the district permitting the lesser density.

[Sections 207.2 through 207.4 are unchanged.]

SEC. 207.5. DENSITY OF DWELLING UNITS IN MIXED USE DISTRICTS. (a) The dwelling unit density in the Chinatown Mixed Use District shall be at a density ratio not exceeding the amount set forth in the following (t) Table 207.5(a):

<u>Table 207.5(a)</u> <u>Density of Dwelling Units in Chinatown Mixed Use Districts</u>	
General Area District	Residential Density Limits
Chinatown Community Business	One dwelling unit for <u>each</u> 200 sq. ft. of lot area
Chinatown Residential Neighborhood Commercial	One dwelling unit for each 200 sq. ft. of lot area
Chinatown Visitor Retail	One dwelling unit for each 200 sq. ft. of lot area

(b) The dwelling unit density in the South of Market Mixed Use Districts shall not exceed the amount set forth in the following table:

Table 207.5(b)
Density of Dwelling Units in South of Market Mixed Use Districts

General Area District

Residential Density Limits

Residential Enclave One dwelling unit for each 400 sq. ft. of lot area

South Park One dwelling unit for each 600 sq. ft. of lot area

* Residential Service One dwelling unit for each 200 sq. ft. of lot area except for projects above 40 feet in height which otherwise require conditional use approval, in which case the allowable density for dwelling units within the project shall be established as part of the conditional use determination.

Service/ One dwelling unit for each 200 sq. ft. of lot area
Light Industrial/

Residential.
Service/Secondary Office

SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING. The density limitations for group housing, as described in Sections 209.2(a),(b),and(c), ((and)) 790.88(b) and 890.88(b) of this Code, shall be as follows:

(a) The maximum number of bedrooms on each lot shall be as specified in the following table for the district in which the lot is located, except that for lots in NC Districts, the group housing density shall not exceed the number of bedrooms permitted in the nearest Residential District provided that the maximum density not be less than the amount permitted by the ratio specified for the NC District in which the lot is located.

Table 208
MAXIMUM DENSITY FOR GROUP HOUSING

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
RH-2	415
RH-3, RM-1, RC-1	275
RM-2, RC-2	210
RM-3, RC-3	140
RM-4, RC-4	70
NC-1, *	275
NC-2,	
NC-S,	
Sacramento Street, West Portal Avenue	
NC-3,	210
NC-S,	
Castro Street,	
Inner Clement Street,	
Outer Clement Street,	
Upper Fillmore Street,	
Haight Street,	
Union Street,	
Valencia Street,	
24th Street-Mission, 24th Street-Noe Valley	
Broadway,	140
Hayes-Gough,	
Upper Market Street,	
North Beach,	
Polk Street	
Chinatown Community Business	70
Chinatown Residential Neighborhood Com- mercial	
Chinatown Visitor Retail	
RED	140
RSD, SLR, SLI, SSO	70
SPD	210

(b) For purposes of calculating the maximum density for group housing as set forth herein, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(c) The rules for calculation of dwelling unit densities set forth in Section 207.1 shall also apply in calculation of the density limitations for group housing, except that in NC Districts, any remaining fraction of 1/2 or more of the maximum amount of lot area per bedroom shall be adjusted upward to the next higher whole number of bedrooms.

[Sections 209 through 209.2 are unchanged.]

SEC. 209.3. INSTITUTIONS. (a)

Hospital, medical center or other medical institution which includes facilities for inpatient care and may also include medical offices, clinics, laboratories, and employee or student dormitories and other housing, operated by and affiliated with the institution, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans.

(b) Residential care facility providing lodging, board and care for a period of 24 hours or more to six or fewer persons in need of specialized aid by personnel licensed by the State of California. Such facility shall display nothing on or near the facility which gives an outward

RH-1(D)	RH-1	RH-1(B)	RH-2	RH-3	RH-1	RH-2	RH-3	RH-4	RC-1	RC-2	RC-3	RC-4
C	C	C	C	C	C	C	C	C	C	C	C	C
P	P	P	P	P	P	P	P	P	P	P	P	P

[illegible]

(h) Secondary school, either public or private, other than a school having industrial arts as its primary course of study. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. (With respect to RC Districts, see also Section 209.9(d).)

(i) Postsecondary educational institution for the purposes of academic, professional, business or fine arts education, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. Such institution shall not have industrial arts as its primary course of study.

(j) Church or other religious institution which has a tax-exempt status as a religious institution granted by the United States Government, and which institution is used primarily for collective worship or ritual or observance of common religious beliefs. Such institution may include, on the same lot, the housing of persons who engage in supportive activity for the institution. (With respect to RC Districts, see also Section 209.9(d).)

RH-1(D)	RH-1	RH-1(B)	RH-2	RH-3	RM-1	RM-2	RM-3	RM-4	RC-1	RC-2	RC-3	RC-4
C	C	C	C	C	C	C	C	C	C	C	C	C
C	C	C	C	C	C	C	C	C	C	C	C	C
C	C	C	C	C	C	C	C	C	C	C	C	C

[Sections 209.4 through 209.9 are unchanged.]

SEC. 210. DESCRIPTION AND PURPOSE OF COMMERCIAL AND INDUSTRIAL DISTRICTS. The following statements of description and purpose outline the main functions of the C (Commercial) and M (Industrial) Districts in the zoning plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code. The emphasis, in the case of these districts, is upon the allocation of adequate areas in proper locations for the carrying on of business and industry to serve City, regional and national needs and provide San Francisco with a sound and growing economic base. The description and purpose statement for Neighborhood Commercial Districts are listed in Article 7, Sections 710.1 through 728.1. The description and purpose statements for South of Market Districts are listed in Article 8, Sections 813 through 818 of this Code.

[Sections 210.1 through 216 are unchanged]

SEC. 217. INSTITUTIONS. (a)
Hospital, medical center or other
medical institution which includes
facilities for inpatient care and may
also include medical offices,
clinics, laboratories, and employee
or student dormitories and other
housing, operated by and affiliated
with the institution, which
institution has met the applicable
provisions of Section 304.5 of this
Code concerning institutional master
plans.

(b) Residential care facility providing lodging, board and care for a period of 24 hours or more to persons in need of specialized aid by personnel licensed by the State of California. Such facilities shall include but not necessarily be limited to a board and care home, family care home, long-term nursery, orphanage, rest home or home for the treatment of addictive, contagious or other diseases or psychological disorders.

(c) Clinic primarily providing outpatient care in medical, psychiatric or other healing arts and not a part of a medical institution as specified in

C-1	C	P	P
C-2	C	P	P
C-2-C	P		
C-3-C	P		
C-3-O	C	P	P
C-3-E	C	P	P
C-3-G	C	P	P
C-3-S	C	C	P
C-M	C	P	P
M-1	C	P	P
M-2	C	P	P

(j) Church or other religious institution. Such institution may include, on the same lot, the housing of persons who engage in supportive activity for the institution.

C-1	C-2	C-2-C	C-3-C	C-3-O	C-3-R	C-3-Q	C-3-S	C-M	M-1	M-2
P	P			P	P	P	P	P	P	P

[Sections 218 through 220 are unchanged.]

SEC. 221. ASSEMBLY AND ENTERTAINMENT. (a) Clubhouse.

(b) Lodge building.

(c) Meeting hall.

(d) Theater, except as specified under Subsection (k), below.

(e) Recreation building.

(f) Amusement enterprise, including billiard hall, dance hall, nightclub, other nighttime entertainment activities, bowling alley, skating rink, shooting gallery, when conducted within a completely enclosed building; provided, (1) that incidental noise is reasonably confined to the premises by adequate soundproofing or other device, and (2) that no portion of a building occupied by such use shall have any opening, other than fixed windows and exits required by law, within 50 feet of any R District.

C-1	C-2	C-2-C	C-3-C	C-3-O	C-3-R	C-3-Q	C-3-S	C-M	M-1	M-2
P	P			P	P	P	P	P	P	P
P	P			P	P	P	P	P	P	P
P	P			P	P	P	P	P	P	P
	P			P	P	P	P	P	P	P
P	P			P	P	P	P	P	P	P
	P			P	P	P	P	P	P	P

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SEC. 233. LIVE/WORK UNITS. (a) If a live/work unit would occupy any space last used as a dwelling unit or group housing, or whose legal use as shown in the permit records of the City is as a dwelling unit or group housing, the live/work unit shall not be permitted in any RH, ((or)) RM, RED, SPD, RSD, SLR, SLI, or SSO District, and shall require conditional use approval in any RC, C or M District, notwithstanding Sections 209.9 or 227 of this Code.

(b) Live/work units satisfy the conditions of this subsection if:

(1) they are part of a project which will result in issuance of a certificate or certificates of occupancy for ten or more new or additional live/work units; and

(2) the project is sponsored by one or more organizations exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, each of whose articles of incorporation state as a principal purpose providing living quarters to artists, and each of whose articles of incorporation require that at least 51% of the members of the board of directors must be artists engaging in one or more arts activities falling within the definition of Section 102.2 of this Code; and

(3) the qualified sponsoring organization or organizations will, until completion of the project: (A) own the project, (B) own an interest of 51% or more in a joint tenancy or tenancy in common which owns the project; (C) have a right to 51% or more of the net income and of all distributions, including distributions on liquidation, of a partnership or joint venture which owns the project; or (D) be the only general partner or only general partners, or only managing general partner, in a limited partnership which will qualify the project for complete or partial exemption from property tax under California Revenue and Taxation Code section 214(g) or a successor provision; and

(4) all permits for the project are issued on the application of, and in the name of, a corporation described in subsection (2) above or a partnership described in subsection (3)(C) or (3)(D); and

(5) the project will, under federal or state law, or local legal authority other than this Code, be required to rent, lease or sell at least 20% of the live/work units in the project at rates or prices affordable to households whose incomes are no greater than 50% of the median income for households in San Francisco as determined under California Administrative Code Section 6932, or its successor provision, or, alternatively, be so required to rent, lease or sell a minimum of 40% of the live/work units at rates or prices affordable to households whose incomes are no greater than 60% of said median income; and

(6) all non-arts activity other than residential in the project is otherwise permitted in the district, or is otherwise conditional in the district and is approved as a conditional use pursuant to this Code; and

(7) the subject live/work units are marketed on a preferential basis for arts activities as defined in Section 102.2 of this Code. For the purpose of this subsection, "preferential marketing" shall consist of (A) advertising the initial leasing of all newly created units in publications which are oriented to audiences engaged in arts activities for a minimum of three months in advance of other advertising and, for subsequent vacancies, advertising in similar publications promptly after future vacancies are known to the owner or the owner's representatives, but in no event less than one month in advance of other advertising, and (B) notification of organizations concerned with arts activities a minimum of three months in advance of initial leasing activities and, for subsequent vacancies, promptly after future vacancies are known to

the owner or owner's representative, but in no case less than one month in advance of other advertising.

(c) The location of each live/work unit in a multi-unit structure in a C or M District shall be marked by a plaque, diagram or other device visible to emergency personnel from the exterior building face of the structure containing the unit.

(d) Each person, other than a person applying as owner of a fee interest, who applies to erect or alter a live/work unit, or to change use or occupancy in order to authorize a live/work unit, shall submit on a form approved by the Department of Public Health, a disclosure signed by a fee owner of the property in question stating what hazardous materials, if any, are known to exist in the vicinity of the unit.

(Sections 234 and 234.1 are unchanged.)

SEC. 234.2. CONDITIONAL USES, P DISTRICTS. (a) The following uses shall be subject to approval by the City Planning Commission, as provided in Section 303 of this Code: those uses listed in Sections 209.3(d),(e),(f),(g),(h),(i),(j); 209.4(a); 209.5(a),(b); 209.6(b); ((and)) 209.9(c); and 234.2(c) and (d) of this Code.

(b) With respect to any lot in a P District, which lot is within 1/4 mile of the nearest NC-1 or Individual Area Neighborhood Commercial District as described in Article 7 of this Code, no accessory nonpublic use shall be permitted, unless such use or feature complies with the controls which are applicable in any NC-1 or Individual Area Neighborhood Commercial District or Restricted Use Subdistrict located within 1/4 mile of the lot, excluding the provisions of zoning category .82, as defined in Section 790.80 of Article 7.

(c) Parking lot or garage uses listed in Sections 890.7 through 890.12 of this Code when located within any P district within the South of Market Base District and within the right-of-way of any state or federal highway.

(d) In any P District which is within the South of Market Base District, if the use is located within the right-of-way of any state or federal highway, the following uses:

(1) Retail and personal service uses primarily meeting the needs of commuters on nearby streets and highways or persons who work or live nearby, provided that:

(A) The space is on the ground floor of a publicly-accessible parking garage;

(B) The total gross floor area per establishment does not exceed 2,500 square feet;

(C) The space fronts on a major thoroughfare; and

(D) The building facade incorporates sufficient fenestration and lighting to create an attractive urban design and pedestrian-oriented scale.

(2) Open-air sale of new or used merchandise, except vehicles, located within a publicly-accessible parking lot, provided that:

(A) The sale of goods and the presence of any booths or other accessory appurtenances are limited to weekend and/or holiday daytime hours;

(B) Sufficient numbers of publicly-accessible toilets and trash receptacles are provided on-site and are adequately maintained; and

(C) The site and vicinity are maintained free of trash and debris.

[Sections 235 through 248 are unchanged.]

((SEC. 249. MID-SOUTH OF MARKET SPECIAL USE DISTRICT. There shall be a special use district known as the "Mid-South of Market Special Use District", as designated on Sectional Map Nos. 1SUC and 7SU of the Zoning Map, in which all the provisions of this Code governing the C-3-S District shall apply, except that the basic floor area ratio limit for any office use shall be 2.0 to 1, which limit may not be exceeded through transfer of TDR as otherwise allowed by Section 128. This limit on floor area ratio is the same as that imposed as part of the Interim South of Market Industrial and Housing Conservation Special Use District, as provided in Section 246 of this Code, which District is currently under study by the Department of City Planning. The adoption of this Section is not intended to repeal, modify, or supersede the provisions of Section 246.))

[Sections 249E through 254 are unchanged.]

SEC. 260. HEIGHT LIMITS: MEASUREMENT. (a) Method of Measurement. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits, the following rules shall be applicable:

(1) The point above which such measurements shall be taken shall be as specified in the definition of "height" in this Code.

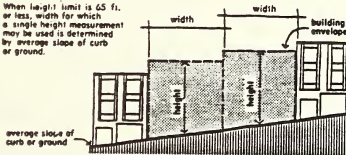
(2) The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form, or any higher point of a feature not exempted under Subsection (b) below.

(3) In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level, according to the definition of "height", as specified in the following table. These requirements shall not apply to any property to which the bulk limitations in Section 270 of this Code are applicable.

TABLE 260
HEIGHT MEASUREMENT ON LATERAL SLOPES
WHERE HEIGHT LIMIT IS 65 FEET OR LESS

Average Slope of Curb or Ground From Which Height is Measured	Maximum Width for Portion of Building that May Be Measured from a Single Point
5 percent or less	No requirement
More than 5 percent but no more than 15 percent	65 feet
More than 15 percent but no more than 20 percent	55 feet
More than 20 percent but no more than 25 percent	45 feet
More than 25 percent	35 feet

When height limit is 65 ft.
or less, width for which
a single height measurement
may be used is determined
by average slope of curb
or ground.



(b) Exemptions. In addition to other height exceptions permitted by this Code, the features listed in this Subsection shall be exempt from the height limits established by this Code, in an amount up to but not exceeding that which is specified.

(1) The following features shall be exempt; provided the limitations indicated for each are observed; provided further that the sum of the horizontal areas of all features listed in this Paragraph (b)(1) shall not exceed 20 percent of the horizontal area of the roof above which they are situated, or, in C-3 Districts, and in the Rincon Hill Special Use District, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper tower; and provided further that in any R, RC-1, RC-2, RC-3 or RC-4 District the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)(1) may be equal but not exceed 20 percent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property.

Any such sum of 20 percent heretofore described may be increased to 30 percent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

(A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling towers, water tanks, panels or devices for the collection of solar or wind energy and window-washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(C) Stage and scenery lofts.

(D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.

(E) In any C-3 District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(F) In any C-3 or South of Market District, additional building volume used to enclose or screen from view the features listed under Subsections (b)(1)(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this Subsection but shall meet the requirements of Section 141 and shall not exceed 20 feet in height, measured as provided in Subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to 3/4 of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times 20.

(G) In any C-3 District, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this Subsection, provided that the extension is less than 100 square feet in cross-section and 18 feet in diagonal dimension.

(H) In the Rincon Hill Special Use District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(I) In the Rincon Hill Special Use District, additional building volume used to enclose or screen from view the features listed under Subsections (b)(1)(A) and ((b)(1))(B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this Subsection but shall meet the requirements of Section 141 and shall not exceed 20 feet in height, measured as provided in Subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to $\frac{3}{4}$ of the horizontal area of all upper tower roof areas of the building measured times 20.

(2) The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed:

(A) Railings, parapets and catwalks, with a maximum height of four feet.

(B) Open railings, catwalks and fire escapes required by law, wherever situated.

(C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.

(D) Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of 10 feet.

(E) Landscaping, with a maximum height of four feet for all features other than plant materials.

(F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet.

(G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.

(H) Flagpoles and flags, clothes poles and clotheslines, and weather-vanes.

(I) Radio and television antennae where permitted as accessory uses and towers and antennae for transmission, reception, or relay of radio, television or other electronic signals, where permitted as principal or conditional uses, subject to the limitations of Subsections 227(h) and (i) of this Code and limitations imposed by the City Planning Commission.

(J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.

(K) Public monuments owned by government agencies.

(L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.

(M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors, not including towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses by

this Code.

(N) Buildings, structures and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

(O) Additional building height, up to a height of three feet above the otherwise applicable height limit, where the uppermost floor of the building is to be occupied solely by live/work units located within a South of Market District, provided that the floor-to-finished ceiling height of all live/work units on the uppermost floor exceeds fourteen feet by at least the amount of additional height being allowed pursuant to this Subsection.

(P) Enclosed recreational facilities up to a height of ten feet above the otherwise applicable height limit when located within both an SSO District and a 65-U height and bulk district and when authorized by the City Planning Commission as a conditional use pursuant to Sections 303 and 316 of this Code, provided that the project is designed in such a way as to reduce the apparent mass of the structure above a base 50 foot building height.

[Sections 261 through 263.10 are unchanged.]

SEC. 263.11 SPECIAL HEIGHT EXCEPTIONS: SOUTH OF MARKET RSD 40-X/85-B HEIGHT DISTRICT. (a) General. In the 40-X/85-B height and bulk district, as designated on Sectional Map No. 1H of the Zoning Map, located within the boundaries of the South of Market RSD District, height exceptions above the forty-foot base height to a maximum of 85 feet may be approved in accordance with the conditional use procedures and criteria provided in Sections 303 and 316 of this Code, and the criteria and conditions set forth in Subsection (c) below.

(b) Findings and Purposes. In this district, heights higher than 40 feet would allow the construction of additional dwelling or live/work units, a portion of which may be affordable to low- and moderate-income households, to serve housing and other needs in the City and would benefit the public, provided that the structure is designed to reduce shadows on public sidewalks and open spaces and adverse impacts on light and air to adjacent residential uses and on sunlight access to adjacent residential open spaces, to reduce adverse wind impacts to adjacent uses, to provide an appropriate height transition to adjacent higher or lower buildings, and to otherwise satisfy subsection (c) below and the conditional use criteria of this Code.

(c) Conditions. The City Planning Commission shall impose conditions on the approval of additional height pursuant to this subsection to mitigate the impact that such height may have on adjacent uses and property. Such conditions shall include, but not be limited to the requirements of paragraphs (1) and (2) below. The Commission may impose further conditions concerning affordable housing, pursuant to paragraph (4) below.

(1) Reduction of Shadows on Certain Public, Publicly Accessible, or Publicly Financed or Subsidized Private Open Space.

(A) New buildings or additions subject to this Section shall be shaped to reduce substantial shadow impacts on public plazas, parks or other nearby publicly accessible or publicly financed private open spaces. The criteria set forth in Section 147 of this Code shall be used to assess the shadow impacts of new building development over 40 feet in height.

(B) To the extent that height above 40 feet on lots 14, 16, 18, 19, 20, 20A, 21, 22, 24, 25, 26, 28, 29, 30, 31, 34, 91 and 92 of Assessor's Block 3733 and on lots 14, 15, 17, 18, 19, 23, 24, 26, 27, 28, 32, 33, 36 and 95 of Assessor's Block 3752 would create adverse impact on light and air to adjacent residential uses and/or sunlight access to residential open spaces, such additional height shall not be permitted.

(2) Reduction of Ground Level Wind Currents. New buildings or additions subject to this Section shall be shaped, or other wind baffling measures shall be adopted, so that the development will not cause ground level wind currents to exceed more than 10% of the time year round, between 7 a.m. and 6 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and 7 m.p.h. equivalent wind speed in public seating areas. When pre-existing ambient wind speeds exceed the comfort level, the building or addition shall be designed to reduce the ambient wind speeds to meet the requirements.

If it is shown that a building or addition cannot be shaped or wind baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and/or it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial, an exception may be granted, in accordance with the provisions of Section 307(g) of this Code, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount.

No exception shall be allowed and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

For the purposes of this Section, the term "equivalent wind speed" shall mean an hourly mean wind speed adjusted to incorporate the effects of gustiness or turbulence on pedestrians.

(3) Construction of Live/work Units Above the 40 Foot Base Height Limit. Live/work units may be relied upon to qualify for a height exception under this Section only if:

(A) Each non-residential use within each individual live/work unit is limited to an activity permitted within the district or conditional within the district and specifically approved as a conditional use;

(B) Each live/work unit is sufficiently insulated for noise attenuation between units to insure that noise shall not exceed the acceptable decibel levels established for residential use as specified in the San Francisco Noise Control Ordinance; and

(C) The project satisfies the open space, parking and freight loading provisions of this Code without administrative exceptions; and

(D) The project satisfies the affordability requirements set forth in Subsection (4) below.

(4) Affordability. In determining whether to allow a height exception under this Section the Planning Commission shall, in addition to the criteria set forth in Section 303(c) of this Code, consider the extent to which the project seeking the exception will include units affordable to low- and moderate-income households. The City Planning Commission may impose conditions on the approval of additional height pursuant to this Subsection to assure housing affordability and the enforceability and enforcement of housing affordability and use provisions, which may include, but need not be limited to, a requirement that a minimum stated percentage of the total number of units approved pursuant to this Section remain affordable to households whose incomes are not greater than a stated percentage of a defined median income for a period of not less than a stated number of years.

(A) The property owner shall submit an annual report to the City, along with a fee whose amount shall be determined periodically by the City Planning Commission, to cover costs of the enforcement of the affordability of designated units. The fee shall not exceed the amount of those costs. The report shall state rents, annual household income, number of adults and children living in each designated unit, and such other information as the City may require.

[Section 263.12 is unchanged.]

SEC. 270. BULK LIMITS; MEASUREMENT. (a) The limits upon the bulk of buildings and structures shall be as stated in this Section and in Sections 271 and 272. The terms "height", "plan dimensions", "length" and "diagonal dimensions" shall be as defined in this Code. In each height and bulk district, the maximum plan dimensions shall be as specified in the following table, at all horizontal cross-sections above the height indicated.

TABLE 270
BULK LIMITS

District Symbol on Zoning Map	Height Above Which Maximum Dimensions Apply (in feet)	Maximum Plan Dimensions (in feet) Length	Diagonal Dimension
A	40	110	125
B	50	110	125
C	80	110	125
D	40	110	140
E	65	110	140
F	80	110	140
G	80	170	200
H	100	170	200
I	150	170	200
J	40	250	300
K	60	250	300
L	80	250	300
M	100	250	300
N	40	50	100
R	<u>see Sub- section (e)</u>	<u>51 (through 105)</u>	200
R	105	110	125
OS	See Section 290.		
S	This table not applicable. But see Section 270(d).		
T	At setback height established pursuant to Section 132.2, but no higher than 80 feet.		
U	50	<u>not limited, but 15 foot setback required along all street frontages.</u>	
X	This table not applicable. But see Section 260(a)(3).		

(b) These limits shall not apply to the buildings, structures and equipment listed in Section 260(b)(2)(K), (L), (M) and (N) of this Code, subject to the limitations expressed therein.

(c) Maximum plan lengths and diagonal dimensions do not apply to cornices or other decorative projections.

(d) The bulk limits contained in this Subsection shall apply in S Bulk Districts as designated on Sectional Map Nos. 1H, 2H and 7H of the Zoning Map.

(1) Base. The base is the lowest portion of the building extending vertically to a streetwall height up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more. There are no length or

(B) **Additional Bulk for Elevators.** Solely in order to accommodate additional elevators required by tall buildings the lower portion (up to the height shown on Chart B) of the lower tower of a building 500 feet tall or taller may be enlarged up to a maximum length of 190 feet, a maximum diagonal dimension of 230 feet and a maximum floor size of up to 25,000 square feet without a corresponding reduction in upper floor size.

(3) **Upper Tower.**

(A) **Dimensions.** Upper tower bulk controls apply to buildings taller than 160 feet. They apply to the upper tower portion of a building up to the height shown on Chart B, which height excludes the vertical attachment and other features exempted by Section 260 and excludes the extended upper tower height exceptions provided for in Section 263.7 of this Code. The bulk controls for the upper tower are: a maximum length of 130 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. In determining the average floor size of the upper tower, areas with a cross-sectional area of less than 4,000 square feet may not be counted and sculptured architectural forms that contain large volumes of space but no usable floors shall be included in average floor size calculation by computing the cross-section at 12.5-foot intervals.

(B) **Volume Reduction.** When the average floor size of the lower tower exceeds 5,000 square feet, the volume of the upper tower shall be reduced to a percentage of the volume that would occur if the average floor size of the lower tower were extended to the proposed building height. The percentage varies with the bulk of the lower tower and with whether or not a height extension is employed pursuant to Section 263.7 and is shown on Chart C. In achieving the required volume reduction, a setback or change in profile at a specific elevation is not required.

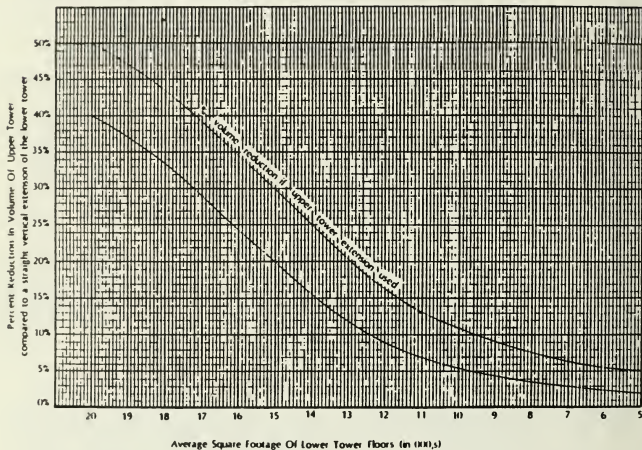
(C) **Extensions.** Extensions of the upper tower above the otherwise allowable height limits may be permitted as provided in Section 263.7

(D) **Termination of the Tower.** The top of the tower shall be massed in a manner that will create a visually distinctive roof or other termination of the building facade. Modifications to a proposed project may be required, in the manner provided in Section 309, to achieve this purpose.

(e) In Bulk District R, bulk limitations are as follows:

- (1) Between 51 and 105 feet in height, the maximum plan dimensions measured diagonally may not exceed 200 feet, and the average individual floor area may not exceed 20,000 gross square feet.
- (2) Above 105 feet in height, each side of the building shall be limited to 110 feet in length, and maximum plan dimensions measured diagonally may not exceed 125 feet except for the lower 1/3 of the structure above 105 feet, which shall be subject to Subsection (3) below; the average floor area of all floors above 105 feet may not exceed 7,500 gross square feet.
- (3) The volume of the upper 1/3 of the structure above 105 feet shall be at least 15 percent less than the volume of the middle 1/3 above 105 feet, and the volume of the lower 1/3 of the structure above 105 feet shall be at least 15 percent more than the volume of the middle 1/3 above 105 feet.
- (4) In order to provide light and air between structures and to avoid excessive screening of downtown views from the bridge, distances between structures in height districts above 105 feet should not be less than 150 feet.

CHART C BULK CONTROL
UPPER TOWER VOLUME REDUCTION



(Sections 271 through 295 are unchanged.)

SEC. 301. GENERAL DESCRIPTION OF ZONING PROCEDURES. This Section is a summary of provisions more fully described in the remainder of this Article.

The final legislative authority for enactment and amendment of the zoning provisions contained in this Code resides in the Board of Supervisors. However, all proposals for reclassifications of property or other amendments are considered first by the City Planning Commission, and its disapprovals are final unless overruled by the Board of Supervisors.

The provisions of this Code are administered by the Zoning Administrator and other staff members of the Department of City Planning, by means of public information, review of permit applications, keeping of records, interpretation of the meaning and intent of the Code, and enforcement actions against violations. The Zoning Administrator is also responsible for reviewing the effectiveness of the Code and recommending appropriate changes to the legislative authorities.

Certain specific uses and features in various zoning districts require approval by the City Planning Commission through conditional use procedures, in which the Commission determines whether the provisions of the Code are met.

The decisions of the Commission in these cases may be appealed to the Board of Supervisors.

In some cases, provisions of the Code may be relaxed by means of variances or administrative review granted by the Zoning Administrator, provided, for a variance, that certain specified findings can be made, and for administrative review, that the conditions of the section authorizing such review are satisfied. Decisions in these cases may be appealed to the Board of Permit Appeals.

The responsibilities of each of these persons and agencies are derived from the San Francisco Charter.

[Section 302 is unchanged.]

SEC. 303. CONDITIONAL USES. (a) General. The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this Section and in Sections 306 through 306.6, except that Planned Unit Developments shall in addition be subject to Section 304, medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use and Planned Unit Development applications filed pursuant to Article 7, or otherwise required by this Code for uses or features in Neighborhood Commercial Districts, and conditional use applications within South of Market districts, shall be subject to the provisions set forth in Sections 316 through 316.8 of this Code, in lieu of those provided for in Sections 306.2 and 306.3 of this Code, with respect to scheduling and notice of hearings, and in addition to those provided for in Sections 306.4 and 306.5 of this Code, with respect to conduct of hearings and reconsideration.

(b) Initiation. A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought.

(c) Determination. After its hearing on the application, or upon the recommendation of the Director of Planning if the application is filed pursuant to Sections 316 through 316.8 of this Code and no hearing is required, the City Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish:

(1) That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and

(2) That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

(B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

(C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

(D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

(3) That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan; and

(4) With respect to applications filed pursuant to Article 7 of this Code; that such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Neighborhood Commercial District, as set forth in zoning control category .1 of Sections 710 through 729 of this Code; and

(5) (A) With respect to applications filed pursuant to Article 7, Section 703.2(a), zoning categories .46, .47, and .48, in lieu of the criteria set forth above in Section 303(c)(1-4), that such use or feature will:

(i) Not be located within 1000 feet of another such use, if the proposed use or feature is included in zoning category .47, as defined by Section 790.36 of this Code; and/or

(ii) Not be open between two a.m. and six a.m.; and

(iii) Not use electronic amplification between midnight and six a.m.; and

(iv) Be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

(B) Notwithstanding the above, the City Planning Commission may authorize a conditional use which does not satisfy the criteria set forth in (5)(A)(ii) and/or (5)(A)(iii) above, if facts presented are such to establish that the use will be operated in such a way as to minimize disruption to residences in and around the district with respect to noise and crowd control.

(6) With respect to applications for live/work units in RH and RM Districts filed pursuant to Section 209.9(f) or 209.9(h) of this Code, that:

(A) Each live/work unit is within a building envelope in existence on the effective date of Ordinance No. (effective month date, 1988), and also within a portion of the building which lawfully contains at the time of application a nonconforming, non-residential use;

(B) There shall be no more than one live/work unit for each 1,000 gross square feet of floor area devoted to live/work units within the subject structure; and

(C) The project sponsor will provide any off-street parking, in addition to that otherwise required by this Code, needed to satisfy the reasonably anticipated auto usage by residents of and visitors to the project.

Such action of the City Planning Commission, in either approving or disapproving the application, shall be final except upon the filing of a valid appeal to the Board of Supervisors as provided in Section 308.1.

(d) **Conditions.** When authorizing a conditional use as provided herein, the City Planning Commission, or the Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in this Code, as are in its opinion necessary to secure the objectives of the Code. Once any portion of the conditional use authorization is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the conditional use authorization. Such conditions may include time limits for exercise of the conditional use authorization; otherwise, any exercise of such authorization must commence within a reasonable time.

(e) **Modification of Conditions.** Authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. Such procedures shall also apply to applications for modification or waiver of conditions set forth in prior stipulations and covenants relative thereto continued in effect by the provisions of Section 174 of this Code.

[Sections 304 through 306.] are unchanged.]

SEC. 306.2. SCHEDULING OF HEARINGS. When an action for an amendment, conditional use or variance has been initiated by application or otherwise, except as provided by Sections 316.2 through 316.5, the Zoning Administrator shall set a time and place for a hearing thereon within a reasonable period. In the case of an application for a variance, such period shall not exceed 30 days from the date upon which the application is accepted for filing. The procedures for scheduling of hearings and determinations on conditional use applications where such authorization is required in any South of Market District, or pursuant to zoning categories .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 729 for each Neighborhood Commercial District, are set forth in Sections 316.2 through 316.8 of this Code.

[Sections 306.3 through 306.8 are unchanged.]

SEC. 307. OTHER POWERS AND DUTIES OF THE ZONING ADMINISTRATOR. In addition to those specified in Sections 302 through 306, and Sections 316 through 316.8 of this Code, the Zoning Administrator shall have the following powers and duties in administration and enforcement of this Code. The duties described in this Section shall be performed under the general supervision of the Director of Planning, who shall be kept informed of the actions of the Zoning Administrator.

(a) **Rules, Regulations and Interpretations.** The Zoning Administrator shall, consistent with the expressed standards, purposes and intent of this Code and pursuant to its objectives, issue and adopt such rules, regulations and interpretations as are in the Zoning Administrator's opinion necessary to administer and enforce the provisions of this Code. Such rules and regulations, and any such interpretations that will be of general application in future cases, shall be made a part of the permanent public records of the Department of City Planning. The Zoning Administrator shall respond to all written requests for determinations regarding the classification of uses and the interpretation and applicability of the provisions of this Code.

(b) **Compliance with This Code.** The Zoning Administrator shall have authority to take appropriate actions to secure compliance with this Code, through review of permit applications, surveys and record keeping, enforcement against violations as described in Section 176, and other means.

(c) **Inspection of Premises.** In the performance of any prescribed duties, the Zoning Administrator and employees of the Department of City Planning authorized to represent the Zoning Administrator shall have the right to enter any building or premises for the purposes of investigation and inspection; provided, that such right of entry shall be exercised only at reasonable hours, and that in no case shall entry be made to any building in the absence of the owner or tenant thereof without the written order of a court of competent jurisdiction.

(d) **Code Maintenance.** The Zoning Administrator shall periodically review and study the effectiveness and appropriateness of the provisions of this Code, for the purpose of recommending necessary changes to the Director of Planning and the City Planning Commission.

(e) **Exercise of Powers and Duties by Others.** In cases where absence, incapacity, vacancy of the office, conflict of interest or other sufficient reasons prevent action by the Zoning Administrator, the Director of Planning may designate any officer or employee of the Department to carry out any function of the Zoning Administrator so affected.

(f) **Cooperation With Other Departments.** The Zoning Administrator shall furnish to the various departments, officers and employees of the City vested with the duty or authority to issue permits or licenses (including but not limited to the Department of Public Works, Department of Public Health, Police Department and Fire Department) such information as will insure the proper administration of this Code and of all the rules, regulations, interpretations and other determinations of the Department of City Planning relative thereto. It shall be the duty of said departments, officers and employees to cooperate with the Zoning Administrator in the performance of the Zoning Administrator's duties, and to assist in the enforcement of the provisions of this Code.

(g) Exceptions from Certain Specific Code Standards through Administrative Review.

(1) In the Chinatown Mixed Use Districts, the Zoning Administrator may allow complete or partial relief from parking, rear yard, and open space standards as authorized in the applicable sections of this Code, when modification of the standard would result in a project better fulfilling the criteria set forth in the applicable section. The procedures and fee for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

(2) In the South of Market Districts the Zoning Administrator may allow modification of, or complete relief from, the wind current standards in the South of Market RSD 40-X/85-B height district, and parking, rear yard and open space standards as authorized in the applicable Sections of this Code, when modification of the standard would result in a project better fulfilling the criteria set forth in the applicable Section. The procedures and fees for such review shall be the same as those which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2.

SCM:52

[Sections 308 through 315 are unchanged.]

SEC. 316. PROCEDURES FOR CONDITIONAL USE AUTHORIZATION IN NEIGHBORHOOD COMMERCIAL AND SOUTH OF MARKET DISTRICTS AND FOR LIVE/WORK UNITS IN RH AND RM DISTRICTS. In addition to the provisions of Sections 306.1, 306.4, and 306.5 of this Code, the following procedures set forth in this and the following sections shall govern applications for conditional use authorization where this authorization is required pursuant to Sections 178, 179, 181(f) or (g), 209.9(f), 209.9(h), 260(b)(2)(P) or 263.11 of this Code; ((and)) zoning categories .10, .11, .21, .24 through .27, .38 through .90, and .95 of Sections 710 through 729 of this Code for each Neighborhood Commercial District ((.)); or Sections 813 through 818 for the South of Market Mixed Use Districts. The criteria for determinations on such applications are set forth in Section 303(c) of this Code. Additional criteria for determinations on applications pursuant to zoning categories .10, .11, and .21 of Article 7 are set forth in the Section of this Code containing the control. Additional criteria for determinations on certain applications within South of Market Districts are set forth in Sections 263.11 and 803.5 of this Code.

[Section 316.1 is unchanged.]

SEC. 316.2. ZONING ADMINISTRATOR REVIEW, SCHEDULING OF HEARING, AND RECOMMENDATION. The Zoning Administrator will review and schedule applications for conditional use authorization for City Planning Commission determination; either on consent calendar, with a recommendation regarding action on the application; or at a public hearing.

(a) Scheduling of Determination. After an application for conditional use is filed at the Department, the Zoning Administrator will review the application and set a time and place for determination of that application within a reasonable period.

(b) Consent Calendar with Recommendation. After reviewing an application, the Zoning Administrator shall determine if the facts presented establish that the proposed use or feature is in conformity with the criteria set forth in Section 303(c) and any other applicable provision of this Code, ((as applicable, and in Sections 253.1, 121.1, and 121.2 of this Code for zoning categories .10, .11, and .21, respectively,)) and may submit findings to the Director of Planning which may recommend approval or approval with conditions, placing that recommendation on consent calendar.

(c) Public Hearing. After reviewing an application, the Zoning Administrator may determine that the public interest would best be served by a hearing where public testimony can be received on the application and shall in that event schedule the application for a public hearing.

(d) Report and Recommendation. In all actions involving a consent calendar or public hearing, the Zoning Administrator will make necessary investigations and studies and submit proposed findings to the Director of the Department of City Planning. The report and recommendation of the Director of Planning will be submitted when the consent calendar is considered or at the public hearing.

[Sections 316.3 through 602 are unchanged.]

SEC. 603. EXEMPTED SIGNS. Nothing in this Article 6 shall apply to any of the following signs:

(a) Official public notices, and notices posted by public officers in performance of their duties;

(b) Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety;

(c) Temporary display posters, without independent structural support, in connection with political campaigns and with civic noncommercial health, safety and welfare campaigns, provided that in R districts such posters shall be removed within 60 days following the conclusion of the campaign;

(d) Flags, emblems, insignia and posters of any nation or political subdivision, and temporary displays of a patriotic, religious, charitable or other civic character;

(e) House numbers, whether illuminated or not, "no trespassing", "no parking", and other warning signs;

(f) Commemorative plaques placed by recognized historical agencies;

(g) Signs within a stadium, open-air theater or arena which are designed primarily to be viewed by patrons within such stadium, open-air theater or arena;

(h) Religious symbols attached to buildings if not projecting beyond any street property line or building setback line;

(i) Flags indicating weather conditions, and single flags which are emblems of business firms, enterprises and other organizations;

(j) Two general advertising signs each not exceeding 24 square feet in area on a transit shelter furnished by contract with the Public Utilities Commission for the Municipal Railway in RM-2, RM-3, RM-4, RC, NC, C, (and) M, and South of Market Districts, and in those P Districts where such signs would not adversely affect the character, harmony or visual integrity of the district as determined by the City Planning Commission, except that no sign shall be placed on any transit shelter located on any sidewalk which shares a common boundary with any property under the jurisdiction of the Recreation and Park Commission; on any sidewalk on Zoo Road, on Skyline Boulevard between Sloat Boulevard and John Muir Drive, on John Muir Drive between Skyline Boulevard and Lake Merced Boulevard, or on Lake Merced Boulevard on the side of Harding Park Municipal Golf Course, or any sidewalk sharing a common boundary with such property; on any sidewalk on Sunset Boulevard between Lincoln May and Lake Merced Boulevard; on any sidewalk on Legion of Honor Drive; on any sidewalk on The Embarcadero; in the Civic Center Special Sign Districts as established in Section 608.3 of this Code; or in the Market Street Special Sign District as established in Section 608.8 of this Code(());

(k) Information plaques or signs which identify to the public open space resources, architectural features, creators of artwork, or otherwise provide information required by this Code or by other City agencies, or an identifying sign which directs the general public and/or patrons of a particular establishment to open space or parking resources, provided that such sign shall not project more than three inches from the wall and that its dimensions shall be no greater than one (1) by two (2) feet.

(l) Non-illuminated art murals within the South of Market Base District, if they project no more than 18 inches from the pre-existing surface of a structure.

[Sections 604 through 605 are unchanged.]

SEC. 606. RESIDENTIAL DISTRICTS. Signs in R Districts, other than those signs exempted by Section 603 of this Code, shall conform to the following provisions:

(a) **General Provisions for All Signs.**

(1) No sign shall project beyond a street property line or legislated setback line, or into a required front setback area.

(2) No sign shall have or consist of any moving, rotating or otherwise animated part, or (if permitted to be illuminated) any flashing, blinking, fluctuating or otherwise animated light.

(3) No roof sign, wind sign, or general advertising sign shall be permitted.

(4) No sign shall extend above the roofline of a building to which it is attached, or above a height of 12 feet.

(b) **Signs for Uses Permitted in R Districts.** The following types of signs, subject to the limitations prescribed for them, shall be the only signs permitted for uses authorized as principal or conditional uses in R Districts, except that signs for any commercial establishments so authorized in RC Districts shall be subject to the limitations of Paragraph (c)(3) below.

(1) One nonilluminated or indirectly illuminated name plate for each street frontage of the lot, not exceeding a height of 12 feet, and having an area not exceeding one square foot in RH Districts or two square feet in RM or RED Districts.

(2) One identifying sign for each street frontage of the lot, not exceeding a height of 12 feet, and meeting the following additional requirements:

(A) In RH ((d)) Districts: nonilluminated or indirectly illuminated only; maximum area 12 square feet;

(B) In RM-1 or RED Districts: maximum area eight square feet if directly illuminated, and 20 square feet if nonilluminated or indirectly illuminated.

(3) One temporary nonilluminated or indirectly illuminated sale or lease sign for each street frontage of the total parcel involved, not exceeding a height of 24 feet if free standing and not above the roofline if attached to a building, and having an area not exceeding six square feet for each lot or for each 3,000 square feet in such total parcel, whichever ratio permits the larger area, provided that no such sign shall exceed 50 square feet in area and any such sign exceeding 18 square feet in area shall be set back at least 25 feet from all street property lines. Any sale or lease sign shall be removed within seven days following removal of the property from the market.

(4) Temporary nonilluminated signs of persons and firms connected with work on buildings under actual construction or alteration, giving their names and information pertinent to the project, not exceeding a height of 12 feet, with the combined area of all such signs not to exceed 10 square feet for each street frontage of the project.

(c) **Signs for Nonconforming Uses.** Signs for any use in an R District which is nonconforming under the provisions of Sections 180 through 187 of this Code, or which is given conditional use status under said sections, shall be subject to the provisions of this Subsection (c), except that any such use that would first be permitted as either a principal or a conditional use in

some other R District under Article 2 of this Code, other than an RC District, shall be subject to the provisions of Subsection 606(b) above. Any illumination permitted for signs covered by this Subsection (c) shall be extinguished at all times when the nonconforming use is not open for business.

(1) **Automobile Service Stations.** The following business signs are permitted for an automobile service station. Any such signs may be nonilluminated or indirectly or directly illuminated.

(A) A maximum of two oil company signs, which shall not extend more than 10 feet above the roofline if attached to a building, or exceed a height of 24 feet if freestanding. The area of any such sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. The areas of other permanent and temporary signs as covered in Subparagraph 606(c)(1)(B) below shall not be included in the calculation of the areas specified in this Subparagraph.

(B) Other permanent and temporary signs customarily incidental to the service station business. No such sign shall extend above the roofline if attached to a building, or exceed a height of 12 feet if freestanding. The area of such signs shall not exceed 20 square feet for each such sign or a total of 80 square feet for all such signs on the premises.

(2) **Open Land Uses.** If there is no building with more than 50 square feet of floor area involved in the use, one business sign is permitted for each street frontage occupied by such use, not exceeding a height of 12 feet and having an area not exceeding one square foot for each foot of such street frontage. The total area of all signs for such a use shall not exceed 50 square feet. Any such sign may be nonilluminated or indirectly illuminated.

(3) **Other Uses.** For a use not listed in Paragraph 606(c)(1) or 606(c)(2) above, one business sign is permitted for each street frontage occupied by the use, placed flat against the wall that faces such street and not located above the ground floor. Such sign shall not exceed an area of two square feet for each foot of street frontage occupied by the building or part thereof that is devoted to the nonconforming use. The total area of all signs for such a use shall not exceed 100 square feet. Any such sign may be nonilluminated or indirectly illuminated. In RM, RED and RC Districts, any such sign may be directly illuminated.

[Sections 607 through 607.1 are unchanged.]

SEC. 607.2. MIXED USE DISTRICTS. Signs located in Mixed Use Districts shall be regulated as provided herein, except for those signs which are exempted by Section 603. Signs not specifically regulated in this Section 607.2 shall be prohibited. In the event of conflict between the provisions of Section 607.2 and other provisions of Article 6, the provisions of Section 607.2 shall prevail in Mixed Use Districts.

(a) **Purposes and Findings.** In addition to the purposes stated in Sections 101 and 601 of this Code, the following purposes apply to Mixed Use Districts. These purposes constitute findings that form a basis for regulations and provide guidance for their application.

(1) As Mixed Use Districts change, they need to maintain their attractiveness to customers and potential new businesses alike. Physical amenities and a pleasant appearance will profit both existing and new enterprises.

(2) The character of signs and other features projecting from buildings is an important part of the visual appeal of a street and the general quality and economic stability of the area. Opportunities exist to relate these signs and projections more effectively to street design and building design. These regulations establish a framework that will contribute toward a coherent appearance of Mixed Use Districts.

(3) Mixed Use Districts are typically mixed use areas with commercial units on the ground or lower stories and residential uses on upper stories or have housing and commercial and industrial activities interspersed. Although signs and other advertising devices are essential to a vital commercial district, they should not be allowed to interfere with or diminish the livability of residential units within a Mixed Use District or in adjacent residential districts.

(4) The scale of most Mixed Use Districts as characterized by building height, bulk, and appearance, and the width of streets and sidewalks differ from that of other commercial and industrial districts. Sign sizes should relate and be compatible with the surrounding district scale.

(b) Signs or Sign Features Not Permitted in Mixed Use Districts. Roof signs as defined in Section 602.16 of this Code, wind signs as defined in Section 602.21 of this Code, and signs on canopies, as defined in Section 136.1(b) of this Code, are not permitted in Mixed Use Districts. No sign shall have or consist of any moving, rotating, or otherwise physically animated part, or lights that give the appearance of animation by flashing, blinking, or fluctuating. In addition, all signs or sign features not otherwise specifically regulated in this Section 607.2 shall be prohibited.

(c) Identifying Signs. Identifying signs, as defined in Section 602.9, shall be permitted in all Mixed Use Districts subject to the limits set forth below.

(1) One sign per lot shall be permitted and such sign shall not exceed 20 square feet in area. The sign may be a freestanding sign, if the building is recessed from the street property line, or may be a wall sign or a projecting sign. The existence of a freestanding identifying sign shall preclude the erection of a freestanding business sign on the same lot. A wall or projecting sign shall be mounted on the first-story level; a freestanding sign shall not exceed 15 feet in height. Such sign may be nonilluminated, indirectly illuminated, or directly illuminated.

(2) One sign identifying a shopping center or shopping mall shall be permitted subject to the conditions in Paragraph 1, but shall not exceed 30 square feet in area. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated during the hours of operation of the businesses in the shopping center or shopping mall.

• (d) Nameplate. One nameplate, as defined in Section 602.12 of this Code, not exceeding as area of two square feet, shall be permitted for each noncommercial use in Mixed Use Districts.

(e) General Advertising Signs. General advertising signs, as defined in Section 602.7, shall be permitted in Mixed Use Districts as provided for below. In Mixed Use Districts where such signs are permitted, general advertising signs may be either a wall sign or freestanding, provided that the surface of any freestanding sign shall be parallel to and within three feet of an adjacent building wall. In either case, the building wall shall form a complete backdrop for the sign, as the sign is viewed from all points from a street or alley from which it is legible. No general advertising sign shall

be permitted to cover part or all of any windows. Any extension of the copy beyond the rectangular perimeter of the sign shall be included in the calculation of the sign area, as defined in Section 602.1(a) of this Code.

(1) Chinatown Residential Neighborhood Commercial District.

No more than one general advertising sign shall be permitted per lot. Such sign shall not exceed 72 square feet in area nor exceed 12 feet in height. Such sign may be either nonilluminated or indirectly illuminated.

• (2) Chinatown Visitor Retail, ((and)) Chinatown Community Business, and South of Market Mixed Use Districts. No more than one general advertising sign not exceeding 300 square feet in area or two general advertising signs of 72 square feet each shall be permitted per lot. The height of any such wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sills on the wall to which it is attached, whichever is lower. If the advertising sign is a free standing sign, the height shall not exceed 24 feet or the height of the adjacent wall, whichever is lower.

(A) Signs may be either nonilluminated or indirectly or directly illuminated.

(f) Business Signs. Business signs, as defined in Section 603.2 shall be permitted in all Mixed Use Districts subject to the limits set forth below.

(1) Chinatown Residential Neighborhood Commercial District.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs may be non-illuminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed one square foot per foot of street frontage occupied by the business measured along the wall to which the signs are attached, or 50 square feet for each street frontage, whichever is less. The height of any wall sign shall not exceed 15 feet or the height of the wall to which it is attached. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(C) Projecting Signs. The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 15 feet or the height of the wall to which it is attached. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet six inches, whichever is less. The sign may be nonilluminated or indirectly illuminated, or during business hours, may be directly illuminated.

(D) Signs on Awnings. Sign copy may be located on permitted awnings in lieu of wall signs and projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 20 square feet. Such sign copy may be nonilluminated or indirectly illuminated.

(2) Chinatown Visitor Retail District.

(A) Window Signs. The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) Wall Signs. The area of all wall signs shall not exceed two square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 100 square feet for each street frontage,

whichever is less. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(C) **Projecting Signs.** The number of projecting signs shall not exceed one per business. The area of such sign, as defined in Section 602.1(a), shall not exceed 24 square feet. The height of such sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curb-line, or six feet six inches, whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(D) **Signs on Awnings and Marquees.** Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy as defined in Section 602.1(c) shall not exceed 30 square feet. Such sign copy may be nonilluminated or indirectly illuminated, except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) **Freestanding Signs and Sign Towers.** One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign, if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 20 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly illuminated; or during business hours, may be directly illuminated.

(3) Chinatown Community Business District and South of Market Mixed Use Districts.

(A) **Window Signs.** The total area of all window signs, as defined in Section 602.1(b), shall not exceed 1/3 the area of the window on or in which the signs are located. Such signs may be nonilluminated, indirectly illuminated, or directly illuminated.

(B) **Wall Signs.** The area of all wall signs shall not exceed three square feet per foot of street frontage occupied by the use measured along the wall to which the signs are attached, or 150 square feet for each street frontage, whichever is less(()); provided, however, that in no case shall the wall sign or combination of wall signs cover more than 75 percent of the surface of any wall, excluding openings. The height of any wall sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. Such signs may be nonilluminated, indirectly, or directly illuminated.

(C) **Projecting Signs.** The number of projecting signs shall not exceed one per business. The area of such sign or signs combined when there are multiple signs, as defined in Section 602.1(a), shall not exceed 32 square

feet. The height of the sign shall not exceed 24 feet, or the height of the wall to which it is attached, or the height of the lowest of any residential window sill on the wall to which the sign is attached, whichever is lower. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet six inches, whichever is less. Such signs may be nonilluminated, indirectly, or directly illuminated.

(D) **Sign Copy on Awnings and Marquees.** Sign copy may be located on permitted awnings or marquees in lieu of projecting signs. The area of such sign copy, as defined in Section 602.1(c), shall not exceed 40 square feet. Such sign copy may be nonilluminated or indirectly illuminated; except that sign copy on marquees for movie theaters or places of entertainment may be directly illuminated during business hours.

(E) **Freestanding Signs and Sign Towers.** One freestanding sign or sign tower per lot shall be permitted in lieu of a projecting sign if the building or buildings are recessed from the street property line. The existence of a freestanding business sign shall preclude the erection of a freestanding identifying sign on the same lot. The area of such freestanding sign or sign tower, as defined in Section 602.1(a), shall not exceed 30 square feet nor shall the height of the sign exceed 24 feet. No part of the sign shall project more than 75 percent of the horizontal distance from the street property line to the curbline, or six feet, whichever is less. Such signs may be nonilluminated or indirectly illuminated, or during business hours, may be directly illuminated.

(g) **Special Sign Districts.** Additional controls apply within certain Mixed Use Districts that are designated as Special Sign Districts. The designations, locations, and boundaries of these Special Sign Districts are provided on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and are described within Sections 608.1 through 608.10 of this Code.

(h) **Special Districts for Sign Illumination.** Signs in Mixed Use Districts shall not have nor consist of any flashing, blinking, fluctuating or otherwise animated light except in the following special districts, all specifically designated as "Special Districts for Sign Illumination" on Sectional Map SSD of the Zoning Map of the City and County of San Francisco, and described in Section 607(e) of this Code.

(i) **Broadway District.** Along the main commercial frontage of Broadway between Wayne and Osgood.

(i) **Other Sign Requirements.** Within Mixed Use Districts, the following additional requirements shall apply:

(1) **Public Areas.** No sign shall be placed upon any public street, alley, sidewalk, (or) public plaza or right-of-way, or in any portion of a transit system, except such projecting signs as are otherwise permitted by this Code and signs, structures, and features as are specifically approved by the appropriate public authorities under applicable laws and regulations not inconsistent with this Code and under such conditions as may be imposed by such authorities or posted pursuant to the Police Code.

(2) **Maintenance.** Every business sign pertaining to an active establishment shall be adequately maintained in its appearance. When the activity for which the business sign has been posted has ceased operation for more than 90 days within the Chinatown Mixed Use Districts, all signs pertaining to that business activity shall be removed after that time.

(3) Temporary Signs. One temporary nonilluminated or indirectly illuminated sign for authorized temporary uses, one sale or lease sign or one nonilluminated sign identifying persons and firms connected with work on a building under actual construction or alteration shall be permitted. Such a sign shall not exceed 50 square feet and shall conform to all regulations of Subsection 607.2(f)(3) for business signs. All temporary signs shall be promptly removed upon completion of the activity to which they pertain.

(4) Special Standards for Automotive Gas and Service Stations. For automotive gas and service stations, only the following signs are permitted, subject to the standards in this Paragraph (1)(4) and to all other standards in this Section 607.2.

(A) A maximum of two signs identifying the oil company whose products are sold, which shall not extend more than 10 feet above the roof line if attached to a building, or exceed the maximum height permitted for free standing signs in the same district if free standing. The area of any such sign shall not exceed 180 square feet, and along each street frontage, all parts of such a sign or signs that are within 10 feet of the boundary of a public right-of-way shall not exceed 80 square feet in area. No such sign shall project more than five feet into a right-of-way. The areas of other permanent and temporary signs as covered in subparagraph (B) below shall not be included in the calculation of the areas specified in this subparagraph.

(B) Other permanent and temporary business signs, not to exceed 30 square feet in area for each such sign or a total of 180 square feet for all such signs on the premises. No such sign shall extend above the roof line if attached to a building, or in any case project beyond any building set-back line or into any public right-of-way.

[Sections 607.4 through 608 are unchanged.]

SEC. 608.1. NEAR R DISTRICTS. No general advertising sign, and no other sign exceeding 100 square feet in area, shall be located in an NC, C₁ (Corr) M₁ or South of Market District within 100 feet of any R District in such a manner as to be primarily viewed from residentially zoned property or from any street or alley within an R District; any sign of which the face is located parallel to a street property line and lies for its entire width opposite an NC, C₁ (Corr) M₁ or South of Market SLR district shall be deemed prima facie not to be primarily so viewed. No sign of any size within 100 feet of any R district shall project beyond the street property line or building setback line of any street or alley leading off the main commercial frontage into the R District.

[Sections 608.2 through 781.6 are unchanged.]

SEC. 790. DEFINITIONS FOR NEIGHBORHOOD COMMERCIAL DISTRICTS. This and the following Sections provide the definitions for Neighborhood Commercial Districts. In case of conflict between the following definitions and those set forth in Sections 102 through 102.2((5))8 of this Code, the following definitions shall prevail for Neighborhood Commercial Districts.

(Sections 790.2 through 790.54 are unchanged.)

SEC. 790.56. LOT SIZE (PER DEVELOPMENT). The permitted gross lot area for new construction or expansion of existing development. "Lot" is defined in Section 102.((12))14.

(Sections 790.58 through 799.1 are unchanged.)

ARTICLE 8

MIXED USE DISTRICTS

- Sec. 801. Mixed Use District Provisions.
- Sec. 801.1. Purpose of Article 8.
- Sec. 802. Classes of Mixed Use Districts.
- Sec. 802.1. Mixed Use Districts.
- Sec. 802.2. Special Use Districts.
- Sec. 803. Mixed Use District Requirements.
- Sec. 803.1. Building Standards in the Chinatown Mixed Use Districts.
- Sec. 803.2. Uses Permitted in Chinatown Mixed Use Districts.
- ~~Sec. 803.3. Uses Permitted in South of Market Mixed Use Districts.~~
- ~~Sec. 803.4. Uses Prohibited in South of Market Districts.~~
- ~~Sec. 803.5. Additional Requirements for Uses in Mixed Use Districts.~~
- Sec. 809. Guide to Understanding the Mixed Use District Zoning Controls.
- Sec. 810.1. Chinatown Community Business District.
- Sec. 811.1. Chinatown Visitor Retail District.
- Sec. 812.1. Chinatown Residential Neighborhood Commercial District.
- ~~Sec. 813. RED - Residential Enclave District.~~
- ~~Sec. 814. SPD - South Park District.~~
- ~~Sec. 815. RSD - Residential/Service District.~~
- ~~Sec. 816. SLR - Service/Light Industrial/Residential District.~~
- ~~Sec. 817. SLI - Service/Light Industrial District.~~
- ~~Sec. 818. SSO - Service/Secondary Office District.~~
- ~~Sec. 819. Extended Preservation District.~~
- ~~Sec. 820. South of Market Base District.~~

- Sec. 890. Definitions for Mixed Use Districts.
- Sec. 890.2. Ambulance Service.
- Sec. 890.4. Amusement Game Arcade (Mechanical Amusement Devices).
- Sec. 890.6. Animal Hospital.
- ~~Sec. 890.7. Automobile Parking Lot, Community Residential.~~

- Sec. 890.8. Automobile Parking Garage, Community Residential.
- ~~Sec. 890.9. Automobile Parking Lot, Community Commercial.~~
- Sec. 890.10. Automobile Parking Garage, Community ((Residential)) Commercial.
- ~~Sec. 890.11. Automobile Parking Lot, Public.~~
- ~~Sec. 890.12. Automobile Parking Garage, Public.~~
- ~~Sec. 890.((12))13. Automobile Sale or Rental.~~
- Sec. 890.14. Automotive Gas Station.
- Sec. 890.15. Automotive Repair.
- Sec. 890.16. Automotive Service.
- Sec. 890.18. Automotive Service Station.
- ~~Sec. 890.19. Automotive Tow Service.~~
- ~~Sec. 890.((19))20. Automotive Wash.~~
- ~~Sec. 890.((20))21. Awning.~~

- Sec. 890.22. Bar.
- Sec. 890.23. Business Goods and Equipment Sales and Repair Service.
- Sec. 890.((26))24. Canopy.
- Sec. 890.25. Catering Services.
- Sec. 890.27. Commercial Uses.
- Sec. 890.30. Drive-up Facility.
- Sec. 890.34. Eating and Drinking Use.
- Sec. 890.36. Entertainment, Adult.
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- Sec. 890.38. Open Air Sales.
- Sec. 890.39. Gift Store--Tourist-oriented.
- Sec. 890.44. Hospital or Medical Center.
- Sec. 890.46. Hotel, Tourist.
- Sec. 890.47. Hotel, Residential.
- Sec. 890.48. Hours of Operation.
- Sec. 890.50. Institutions, Other.
- Sec. 890.51. Jewelry Store.
- Sec. 890.54. Light Manufacturing, Wholesale Sales, Storage.
- Sec. 890.55. Heavy Industrial.
- Sec. 890.56. Lot Size (Per Development).
- Sec. 890.58. Marquee.
- Sec. 890.60. Massage Establishment.
- Sec. 890.62. Mortuary.
- Sec. 890.64. Movie Theater.
- Sec. 890.68. Neighborhood-serving Business.
- Sec. 890.69. Non-Auto Vehicle Sales or Rental.
- Sec. 890.70. Outdoor Activity Area.
- Sec. 890.80. Public Use.
- Sec. 890.84. Residential Conversion.
- Sec. 890.86. Residential Demolition.
- Sec. 890.88. Residential Use.
- Sec. 890.90. Restaurant, Fast-food (Small).
- Sec. 890.91. Restaurant, Fast-food (Large).
- Sec. 890.92. Restaurant, Full-service.
- Sec. 890.100. Sales and Services, Nonretail.
- Sec. 890.102. Sales and Services, Other Retail.
- Sec. 890.104. Sales and Services, Retail.
- Sec. 890.106. Service, Administrative.
- Sec. 890.108. Service, ((Business or)) Professional.
- Sec. 890.110. Service, Financial.
- Sec. 890.111. Service, Business.
- Sec. 890.112. Service, Limited Financial.
- Sec. 890.114. Service, Medical.
- Sec. 890.116. Service, Personal.
- Sec. 890.118. Story.
- Sec. 890.122. Take-out Food.
- Sec. 890.124. Trade Shop.
- Sec. 890.130. Use Size (Nonresidential).

- Sec. 890.131. Vehicle Storage, Open Lot.
 Sec. 890.132. Vehicle Storage, Enclosed Lot or Structure.
 Sec. 890.140. Walk-up Facility.
 Sec. 899. Other Applicable Sections of the City Planning Code.

SEC. 801. MIXED USE DISTRICT PROVISIONS. This Article is adopted specifically for Mixed Use Districts, as shown on the Zoning Map of the City and County of San Francisco. The provisions set forth or referenced in Article 8 shall apply to any use, property, structure, or development which is located in a Mixed Use District, unless otherwise provided for within this Code. ((In the event of conflict between provisions of Article 8 and other provisions of this Code, the provisions of Article 8 shall prevail.))

[Sections 801.1 through 802 are unchanged]

SEC. 802.1. MIXED USE DISTRICTS. The following districts are established for the purpose of implementing the Downtown Plan, the Residence Element, the Commerce and Industry Element, the South of Market Plan, other Master Plan policies and various local area plans and policies for neighborhoods in the vicinity of Downtown. Description and Purpose Statements outline the main functions of each Mixed Use District in this ((a))Article, supplementing the statements of purpose contained in Section 101 of this Code.

((The)) ((d))Description and purpose statements ((and land use controls)) applicable to each district are set forth in Sections 810 through ((812)) 820 of this Code. The boundaries of the various Mixed Use Districts are shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of that Section. The following Districts are hereby established as Mixed Use Districts.

Districts	Section Number
Chinatown - Community Business District	§ 810
Chinatown - Visitor Retail District	§ 811
Chinatown - Residential Neighborhood Commercial District	§ 812
RED - <u>Residential Enclave District</u>	§ 813
SPD - <u>South Park District</u>	§ 814
RSD - <u>Residential/Service District</u>	§ 815
SLR - <u>Service/Light Industrial/Residential District</u>	§ 816
SLI - <u>Service/Light Industrial District</u>	§ 817
SSQ - <u>Service/Secondary Office District</u>	§ 818

SEC. 802.2. SPECIAL USE DISTRICTS. Portions of the area covered by this ((a))Article are also subject to the provisions of Section 236 of this Code.

SEC. 803. MIXED USE DISTRICT REQUIREMENTS. Mixed Use District zoning control categories ((consist of building standards listed in Section 803.1 of this Code and permitted uses)) are listed in Sections 803.2 and 803.3 of this Code. ((The controls)) Related building standards and permitted uses are ((either)) generally stated, ((or)) summarized ((and)) or cross-referenced ((to the sections in other articles of this Code containing the requirements,)) in those sections or Sections 810.1 through ((812.1)) 819 of this Code, for each of the district classes listed in Section 802.1, or are referenced in Section 899 of this Code.

SEC. 803.1. BUILDING STANDARDS IN THE CHINATOWN MIXED USE DISTRICTS.

Building standards ((are controls)) which regulate the general size, shape, character, and design of development in Chinatown Mixed Use Districts((. They)) are set forth, ((or)) summarized ((and)) or cross-referenced ((in the zoning control categories as listed in Paragraph (a) below)) in Sections 810.10 through 812.1 of this Code for each district class.

((a) Building Standard Categories. The building standard categories which govern Mixed Use districts are listed below by zoning control category and numbered and cross-referenced to the Code Section containing the standard and the definition.)) Table 803.1 below is set forth for convenience; in the event of any omission from the table or conflict with other provisions of this Code, the remainder of the Code shall govern.

**TABLE 803.1
BUILDING STANDARD CATEGORIES IN THE
CHINATOWN MIXED USE DISTRICTS**

No.	Zoning Control Categories for Building Standards	Section Number of Standard	Section Number of Definition
<u>803.1.10</u>	Height and Bulk	Zoning Map, §270	§§ 102.1((1))2, 102.((18))21, 270
<u>803.1.11</u>	Lot Size(Per Development)	§ 121.5	§§ 121(c), 890.56
<u>803.1.12</u>	Rear Yard/Site Coverage	§ 134(a)(e)	§ 134
<u>803.1.13</u>	Sun Access Setback	§ 132.3	
<u>803.1.14</u>	Maximum Street Frontage	§ 145.2	
<u>803.1.15</u>	Awning	§ 136.2(a)	§ 890.2((6))1
<u>803.1.16</u>	Canopy	§ 136.2(b)	§ 890.2((6))4
<u>803.1.18</u>	Marquee	§ 136.2(c)	§ 890.58
<u>803.1.19</u>	Floor Area Ratio	§§ 123-124	§§ 102.((8))9, 102.1((6))1
<u>803.1.20</u>	Use Size (Nonresidential)	§ 121.9	§ 890.130
<u>803.1.21</u>	Open Space	§ 135.1	
<u>803.1.22</u>	Off-street Parking, Commercial and Institutional	§ 151	§ 150

803.1.23	Off-street Freight Loading	§ 152	§ 150
803.1.30	General Advertising Sign	§ 607.2(c)	§ 602.7
803.1.31	Business Sign	§ 607.2(d)	§ 602.3
803.1.32	Other Signs	§ 607.2(g)--(j)	§ 602.9, § 602.2
803.1.91	Residential Density, Dwelling Units	§ 207.4	§ 207.1
803.1.92	Residential Density, Other	§ 208	§ 208
803.1.93	Usable Open Space	§ 135(d)	§ 135
803.1.94	Off-Street Parking, Residential	§ 151	§ 150

SEC. 803.2. USES PERMITTED IN CHINATOWN MIXED USE DISTRICTS. A use is the specific purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific Chinatown Mixed Use ((d)) District is set forth, ((or)) summarized ((and)) or cross-referenced in Sections 810.1 through 812.9((5))6 of this Code for each district class.

(a) Use Categories. The uses, functions, or activities, which are permitted in each Chinatown Mixed Use District class include those listed in Table 803.2 below by zoning control category and numbered and cross-referenced to the Code Section containing the definition.

TABLE 803.2
USE CATEGORIES PERMITTED IN THE
CHINATOWN MIXED USE DISTRICTS

No.	Zoning Control Categories for Uses	Section Number of Use Definition
803.2.24	Outdoor Activity Area	§ 890.70
803.2.25	Drive-Up Facility	§ 890.30
803.2.26	Walk-Up Facility	§ 890.140
803.2.27	Hours of Operation	§ 890.48
803.2.38a	Residential Conversion, <u>Residential Hotels</u>	§ 890.84
803.2.38b	Residential Demolition, <u>Residential Hotels</u>	§ 890.86
803.2.39a	Residential ((Hotel)) Conversion, <u>Apartments</u>	§ 890.84
803.2.39((a))b	Residential ((Hotel)) Demolition, <u>Apartments</u>	§ 890.86
803.2.40a	Other Retail Sales and Services	§ 890.102
803.2.40b	Gift Store-Tourist-oriented	§ 890.39
803.2.40c	Jewelry	§ 890.51
803.2.41	Bar	§ 890.22
803.2.42	Full-service Restaurant	§ 890.92
803.2.43	Fast-food Restaurant - Small	§ 890.90
803.2.44	Fast-food Restaurant - Large	§ 890.91
803.2.45	Take-out Food	§ 890.122
803.2.46	Movie Theater	§ 890.64

TABLE 803.2(continued)
USE CATEGORIES PERMITTED IN THE
CHINATOWN MIXED USE DISTRICTS

803.2.47	Adult Entertainment	\$ 890.36
803.2.48	Other Entertainment	\$ 890.37
803.2.49	Financial Service	\$ 890.110
803.2.50	Limited Financial Service	\$ 890.112
803.2.51	Medical Service	\$ 890.114
803.2.52	Personal Service	\$ 890.116
803.2.53	((Business or)) Professional Service	\$ 890.108
803.2.54	Massage Establishment	\$ 890.60
803.2.55	Tourist Hotel	\$ 890.46
803.2.56	Automobile Parking Lot, <u>Community Commercial</u>	\$ 890.((8))9
803.2.57	Automobile Parking Garage, <u>Community Commercial</u>	\$ 890.10
803.2.58	Automobile Parking Lot, Public	\$ 890.11
803.2.59	Automobile Parking Garage, Public	\$ 890.12
803.2.((57)).60	Automotive Gas Station	\$ 890.14
803.2.((58)).61	Automotive Service Station	\$ 890.18
803.2.((59)).62	Automotive Repair	\$ 890.15
803.2.((60)).63	Automotive Wash	\$ 890.20
803.2.((61)).64	Automobile Sale or Rental	\$ 890.13
803.2.((62)).65	Animal Hospital	\$ 890.6
803.2.((63)).66	Ambulance Service	\$ 890.2
803.2.((64)).67	Mortuary	\$ 890.62
803.2.((65)).68	Trade Shop	\$ 890.124
803.2.70	Administrative Service	\$ 890.106
803.2.71	Light Manufacturing, Wholesale Sales or Storage	\$ 890.54
803.2.72	<u>Heavy Industrial</u>	\$ 890.55
803.2.73	<u>Business Services</u>	\$ 890.111
803.2.80	Hospital or Medical Center	\$ 890.44
803.2.81	Other Institutions	\$ 890.50
803.2.82	Public Use	\$ 890.80
803.2.90	Residential Use	\$ 890.88
803.2.95	((Community Residential Parking)) <u>Automobile Parking Lot, Community Residential</u>	\$ 890.((10))7
803.2.96	<u>Automobile Parking Garage, Community Residential</u>	\$ 890.8

(b) Use Limitations. ((The u))Uses ((permitted)) in Chinatown Mixed Use Districts are either ((principal)) permitted, conditional, accessory, ((or)) temporary, ((uses)) or are not permitted. ((as stated in this Section, and include those uses set forth or summarized and cross-referenced in the zoning control categories as listed in Paragraph (a) in Sections 810.1 through 812.95 of this Code for each district class.))

(1) Permitted Uses. All permitted uses in Chinatown Mixed Use Districts shall be conducted within an enclosed building ((in Mixed Use Districts)), unless otherwise specifically allowed in this Code. Exceptions from this requirement are: accessory off-street parking and loading; uses which, when located outside of a building, qualify as an outdoor activity area, as defined in Section 890.70 of this Code; and uses which by their nature are to be conducted in an open lot or outside a building, as described in Sections 890 through 890.140 of this Code.

If there are two or more uses in a structure and none is classified under Section 803.2(b)(1)(C) of this Code as accessory, then each of these uses will be considered separately as an independent ((principal)) permitted, conditional, ((or)) temporary or not permitted use((s)).

(A) Principal Uses. Principal uses are permitted as of right in a Chinatown Mixed Use District, when so indicated in Sections 810.1 through 812.9((5))6 of this Code for each district class.

(B) Conditional Uses.

(1) Conditional uses are permitted in a Chinatown Mixed Use District when authorized by the City Planning Commission; whether a use is conditional in a given district is indicated in Sections 810 through 812. Conditional uses are subject to the provisions set forth in Section 303 of this Code.

((1)) Any use or feature which lawfully existed and was permitted as a principal or conditional use on the effective date of these controls which is not otherwise nonconforming or noncomplying as defined in Section 180 of this Code, and which use or feature is not permitted under this Article is deemed to be a permitted conditional use subject to the provisions of this Code.

(C) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R Districts) and 204.5 (Parking and Loading as Accessory Uses) of this Code, a related minor use which is either necessary to the operation or enjoyment of a lawful principal use or conditional use or is appropriate, incidental and subordinate to any such use, shall be permitted in Chinatown Mixed Use Districts as an accessory use when located on the same lot. Any use not qualified as an accessory use shall only be ((classified)) allowed as a principal or conditional use, unless it qualifies as a temporary use under Sections 205 through 205.2 of this Code.

No use in a Chinatown Mixed Use District will be considered accessory to a ((permitted)) principal ((or conditional)) use which involves or requires any of the following:

((1)) The use of more than 1/3 of the total floor area occupied by ((such use)) both the accessory use and the principal use to which it is accessory, combined, ((excepting)) except in the case of accessory off-street parking.

((1)) Any bar, restaurant, other entertainment, or any retail establishment which serves liquor for consumption on-site;

((1)) Any take-out food use, except for a take-out food use which occupies 100 square feet or less (including the area devoted to food preparation and service and excluding storage and waiting areas) in a retail grocery or specialty food store;

(iv) The wholesaling, manufacturing or processing of foods, goods, or commodities on the premises of an establishment which does not also provide for primarily retail sale of such foods, goods or commodities at the same location where such wholesaling, manufacturing or processing takes place.

The above shall not prohibit take-out food activity which operates in conjunction with a fast-food restaurant. A fast-food restaurant, by definition, includes take-out food as an accessory and necessary part of its operation.

(D) Temporary Uses. ((Temporary u))Uses not otherwise ((are)) permitted ((uses,)) are permitted in Chinatown Mixed Use Districts to the extent authorized by ((subject to the provisions set forth in)) Sections 205, 205.1 ((and)) or 205.2 of this Code.

(2) Not Permitted Uses.

(A) Uses which are not ((specifically)) listed in this Article are not permitted in a Chinatown Mixed Use District unless determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.

(B) No use, even though listed as a permitted use or otherwise allowed, shall be permitted in a Chinatown Mixed Use District which, by reason of its nature or manner of operation, creates conditions that are hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

SEC. 803.3. USES PERMITTED IN SOUTH OF MARKET USE DISTRICTS.

(a) Use Categories. A use is the specified purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific South of Market district is generally set forth, summarized or cross-referenced in Sections 813.3 through 818 of this Code for each district class.

(b) Use Limitations. Uses in South of Market districts are either permitted, conditional, accessory, temporary or are not permitted.

(1) Permitted Uses. If there are two or more uses in a structure, any use not classified below under Section 803.3(b)(1)(C) of this Code as accessory will be considered separately as an independent permitted, conditional, temporary or not permitted use.

(A) Principal Uses. Principal uses are permitted as of right in a South of Market district, when so indicated in Sections 813 through 818 of this Code for the district. Additional requirements and conditions may be placed on particular uses as provided pursuant to Section 803.5 and other applicable provisions of this Code.

(B) Conditional Uses. Conditional uses are permitted in a South of Market district, when authorized by the City Planning Commission; whether a use is conditional in a given district is generally indicated in Sections 813 through 818 of this Code. Conditional uses are subject to the applicable provisions set forth in Sections 178, 179, 263.11, 303, 316 through 316.8, and 803.5 of this Code.

(C) Accessory Uses. Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory Uses for Uses other than Dwellings in R Districts), 204.4

(Dwelling Units Accessory to Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, a related minor use which is either necessary to the operation or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental and subordinate to any such use, shall be permitted as an accessory use in a South of Market district when located on the same lot. Any use which does not qualify as an accessory use shall be classified as a principal use.

No use will be considered accessory to a principal use which involves or requires any of the following:

(i) The use of more than one-third (1/3) of the total occupied floor area which is occupied by both the accessory use and the principal use to which it is accessory, combined, except in the case of accessory off-street parking or loading which shall be subject to the provisions of Sections 151, 156 and 157 of this Code;

(ii) A hotel, motel, inn, hostel, nighttime entertainment, adult entertainment, massage establishment, fast food restaurant, or movie theater use in a RED, SPD, RSD, SLR, SII or SSO District;

(iii) Any take-out food use, except for a take out food use which occupies 200 square feet or less (including the area devoted to food preparation and service and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery, retail grocery or specialty food store;

(D) Temporary Uses. Temporary uses not otherwise permitted are permitted in South of Market Districts to the extent authorized by Sections 205 through 205.3 of this Code.

SEC. 803.4 USES PROHIBITED IN SOUTH OF MARKET DISTRICTS. (a) Uses which are not specifically listed in this Article are not permitted unless they qualify as a nonconforming use pursuant to Sections 180 through 186.1 of this Code or are determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code. Uses not permitted in any South of Market District include, but are not limited to, the following:

Adult entertainment, bookstore or theater; amusement game arcade or similar enterprise; animal kennel, riding academy or livery stable; automobile, truck, van, recreational vehicle/trailer or camper sales, lease or rental; auto tow of inoperable vehicles; auto wrecking operation; carnival, circus; bowling alley; drive-up facility; fast food restaurant; hotel, motel, hostel, inn, or bed and breakfast establishment; junkyard; landing field for aircraft; massage establishment subject to Section 218.1 of this Code; mortuary; movie theaters; shooting gallery; skating rink; sports stadium or arena; and video arcade.

(b) No use, even though listed as a permitted use or otherwise allowed, shall be permitted in a South of Market district which, by reason of its nature or manner of operation, creates conditions that are hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

SEC. 803.5. ADDITIONAL PROVISIONS GOVERNING USES IN MIXED USE DISTRICTS.

(a) Bars and Restaurants in South of Market Districts. Within South of Market Districts, bars and restaurants, permitted pursuant to zoning categories .32, .33 and .35 of Sections 813 through 818 of this Code, shall not be allowed except on conditions which, in the judgment of the City agency, board or commission which last exercises jurisdiction to apply this Code to a proposed such use, are reasonably calculated to insure that: (1) the quiet, safety and cleanliness of the premises and its adjacent area are maintained; (2) adequate off-street parking is provided, for which purpose the agency, board or commission may require participation in a South of Market parking management program; (3) proper and adequate storage and disposal of debris and garbage is provided; (4) noise and odors are contained within the premises so as not to be a nuisance to neighbors; and (5) sufficient toilet facilities are made accessible to patrons including persons waiting to enter the establishment.

(b) Demolition or Conversion of Group Housing or Dwelling Units in South of Market Districts. Demolition, or conversion to any other use, of a group housing unit or dwelling unit or any portion thereof, in any South of Market district shall be allowed only subject to Section 233(a) and only if approved as a conditional use pursuant to Sections 303 and 316 of this Code, notwithstanding any other provision of this Code. This provision shall extend to any premises whose current use is, or last use prior to a proposed conversion or demolition was, in fact as a group housing unit or dwelling unit as well as any premises whose legal use as shown in the records of the Bureau of Building Inspection is that of a group housing or dwelling unit.

(c) Preservation of Landmark Buildings, Significant or Contributory Buildings Within the Extended Preservation District and/or Contributory Buildings Within Designated Historic Districts within the South of Market Base District. Within the South of Market Base District, any use which is permitted as a principal or conditional use within the SSO District, exclusive of nighttime entertainment use, may be permitted as a conditional use pursuant to Sections 316 through 316.8 of this Code in designated landmark buildings, buildings designated as significant or contributory pursuant to Article 11 of this Code, or buildings identified as contributory in historic districts designated in the approved South of Market Plan, provided that: (1) in addition to the criteria described in Sections 303(c)(6) and 316 through 316.8 for the granting of conditional uses, it is determined that allowing the use will enhance the feasibility of preserving the landmark, significant or contributory building; and (2) that the landmark, significant or contributory building will be made to conform with the current standards for seismic loads and forces of the San Francisco Building Code.

(d) Automated Bank Teller Machines Within South of Market Districts. All automated bank teller machines (ATM's), whether free-standing structures or walk-up facilities associated with retail banking operations, shall have adequate lighting, waste collection facilities and parking resources.

(e) Open Air Sales. Flea markets, farmers markets, crafts fairs and all other open air sales of new or used merchandise, except vehicles, within South of Market districts, where permitted, shall be subject to the following requirements: (1) the sale of goods and the presence of booths or other accessory appurtenances shall be limited to weekend and/or holiday daytime hours; (2) sufficient numbers of publicly-accessible toilets and trash receptacles shall be provided on-site and adequately maintained; and (3) the site and vicinity shall be maintained free of trash and debris.

(f) Low-Income Affordable Housing Within the Service/Light Industrial District. Dwelling units authorized in the SLI District only as a conditional use pursuant to Sections 303, 316 and 817.14 of this Code and only if the units must, under federal or state law, or local legal authority other than this Code, be rented, leased or sold exclusively at rates or prices affordable to households whose incomes are no greater than 80% of the median income for households in San Francisco as determined under California Administrative Code Section 6932, or its successor provision, for the lifetime of the structure. The owner or owners of the units shall submit an annual report to the City, along with a fee whose amount shall be determined periodically by the City Planning Commission, to cover costs of the enforcement of the affordability of subject dwelling units. The fee shall not exceed the amount of those costs. The report shall state rents, annual household income, number of adults and children living in each unit, and such other information as the City may require.

SEC. 809. GUIDE TO UNDERSTANDING THE MIXED USE DISTRICT ZONING CONTROLS.

Mixed Use District controls are set forth in the Zoning Control Tables in Sections 810((.10)) through ((812.95)) 818 or referenced in Section 899 of this Code.

(a) The first column in the Zoning Control Table, titled "No." provides a category number for each zoning control category.

(b) The second column in the table, titled "Zoning Control Category," lists ((each)) zoning control category((y))ies ((which is regulated in Article 8 of this Code)) for the district in question.

(c) The third column, titled "\$ References," contains numbers of other sections in the Planning Code and other city codes, in which additional ((control)) relevant provisions ((,including exceptions and definitions, where pertinent,)) are contained.

(d) In the fourth column, the controls applicable to the various Mixed Use Districts are indicated either directly or by reference to other Code Sections which contain the controls.

The following symbols are used in this table:

- P -- Permitted as a principal use.
- C -- Permitted as a conditional use, subject to the provisions set forth in this Code.
- A blank space on the tables in Sections 810 through 812 indicates that the use or feature is not permitted within the Chinatown Mixed Use Districts. Unless a use or feature is permitted or required in the Chinatown Mixed Use Districts as set forth in the Zoning Control Tables or in those sections referenced in Section 899 of this Code, such use or feature is prohibited, unless determined by the Zoning Administrator to be a permitted use.
- NP -- Not Permitted. Section 803.4 lists certain uses not permitted in any South of Market district. NP in the Article 8 control column of Tables 813 through 818 also indicates that the use or feature is not permitted in the applicable South of Market District.
- # -- See specific provisions listed by section and zoning category number at the end of the table.
- 1st -- 1st story and below((.)), where applicable.
- 2nd -- 2nd story((.)), where applicable.
- 3rd+ -- 3rd story and above((.)), where applicable.

[Section 810.1 is unchanged.]

SEC. 810
CHINATOWN COMMUNITY BUSINESS DISTRICT
ZONING CONTROL TABLE

No.	Zoning Category	§ References	SEC. 810
			Community Business
			Controls

BUILDING STANDARDS

.10	Height and Bulk	§§ 102.1((1))2,105, 106,263.4 §§ 250 - 252, 260, 270, 271	P up to 35 feet# C to 65 ft. C to 50 ft (along Commercial Street) See Zoning Map, § 254 50 ft. length and 100 ft. diagonal above 40 ft.# See Zoning Map, § 270
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[Sections 810.11 through 810.14 are unchanged.]

.15	Awning	§ 890.2((0))1	P § 136.2(a)
.16	Canopy	§ 890.2((6))4	P § 136.2(b)

[Section 810.17 is unchanged.]

			SEC. 810
			Community Business
No.	Zoning Category	§ References	Controls

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

.19	Floor Area Ratio	§§102.((8))2, 102.1((0))1, 123	2.8 to 1 § 124(a)(b)
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[Sections 810.20 through 810.52 are unchanged.]

Retail Sales and Services

			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
.53	((Business or)) Professional Service	§ 890.108	P	P	P

(Sections 810.54 and 810.55 are unchanged.)

.56	Automobile Parking Lot, <u>Community Commercial</u>	§§ 890.((8))2, 156, 160	C	C	C
.57	Automobile Parking Garage, <u>Community Commercial</u>	§ 890.10, 160	C	C	C
.58	Automobile Parking Lot, <u>Public</u>	§ 890.11, 156	C	C	C
.59	Automobile Parking Garage, <u>Public</u>	§ 890.12	C	C	C
((.57)) .60	Automotive Gas Station	§ 890.14			
((.58)) ((.61))	Automotive Service Station	§ 890.18			
((.59)) .62	Automotive Repair	§ 890.15			
((.60)) .63	Automotive Wash	§ 890.((19)) 20			
((.61)) .64	Automotive Sale or Rental	§ 890.1((2))3			
((.62)) .65	Animal Hospital	§ 890.6			
((.63)) .66	Ambulance Service	§ 890.2			

			SEC. 810		
			Community Business		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +

Retail Sales and Services

((.64)) .67	Mortuary	§ 890.62	C	C	
((.65)) .68	Trade Shop	§ 890.124	P	C	

[Sections 810.70 through 810.94 are unchanged.]

RESIDENTIAL STANDARDS AND USES

((.95	Community Residential Parking	§ 890.10	C	C	C))
.95	Automobile Parking Lot, Community Residential	§ 890.7, 156, 160	C	C	C
.96	Automobile Parking Garage, Community Residential	§ 890.8, 160	C	C	C

[SPECIFIC PROVISIONS FOR CHINATOWN COMMUNITY BUSINESS DISTRICT through Section 811.1 are unchanged.]

SEC. 811
CHINATOWN VISITOR RETAIL DISTRICT
ZONING CONTROL TABLE

			SEC. 811
			Visitor Retail
No.	Zoning Category	§ References	Controls

BUILDING STANDARDS

.10	Height and Bulk	§§ 102.1((1))2, 105, 106, 263.4 §§ 250 - 252, 260, 270, 271	P up to 35 feet# C to 50 ft. See Zoning Map, § 254 50 ft. length 100 ft. diagonal above 40 ft.# See Zoning Map, § 270
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[Sections 811.11 through 811.14 are unchanged.]

.15	Awning	§ 890.2((0))1	P § 136.2(a)
.16	Canopy	§ 890.2((6))4	P § 136.2(b)

(Section 811.17 is unchanged.)

			SEC. 811
			Visitor Retail
No.	Zoning Category	§ References	Controls

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

.19	Floor Area Ratio	§§ 102.((8))2, 102.1((0))1, 123	2.0 to 1 § 124(a)(b)
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[Sections 811.20 through 811.52 are unchanged.]

Retail Sales and Services

			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
.53	((Business or)) Professional Service	§ 890.108		P	

(Sections 811.54 and 811.55 are unchanged.)

.56	Automobile Parking Lot, <u>Community Commercial</u>	§§ 890.((8))2, 156, 160	C	C	C
.57	Automobile Parking <u>Garage, Community Commercial</u>	§ 890.10, 160	C	C	C
.58	Automobile Parking Lot, <u>Public</u>	§ 890.11, 156	C	C	C
.59	Automobile Parking <u>Garage, Public</u>	§ 890.12	C	C	C
((.57)) .60	Automotive Gas Station	§ 890.14			
((.58)) .61	Automotive Service Station	§ 890.18			
((.59)) .62	Automotive Repair	§ 890.15			
((.60)) .63	Automotive Wash	§ 890.((19))20			
((.61)) .64	Automotive Sale or Rental	§ 890.1((2))3			
((.62)) .65	Animal Hospital	§ 890.6			
((.63)) .66	Ambulance Service	§ 890.2			

			SEC. 811		
			Visitor Retail		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
((.64)) .67	Mortuary	§ 890.62	C	C	
((.65)) .68	Trade Shop	§ 890.124	P	C	

[Sections 811.70 through 811.94 are unchanged.]

RESIDENTIAL STANDARDS AND USES

((.95	Community Res. Parking	§ 890.10	C	C	C))
.95	<u>Automobile Parking Lot, Community Residential</u>	§ 890.7, 156, 160	C	C	C
.96	<u>Automobile Parking Garage, Community Residential</u>	§ 890.8, 160	C	C	C

[SPECIFIC PROVISIONS FOR CHINATOWN VISITOR RETAIL DISTRICT through Section 812.1 are unchanged.]

SEC. 812
CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT
ZONING CONTROL TABLE

			SEC. 812
			Residential N'hd Comm
No.	Zoning Category	§ References	Controls

BUILDING STANDARDS

.10	Height and Bulk	§§ 102.1((1))2, 105, 106, 263.4 §§ 250 - 252, 260, 270, 271	P - up to 35 feet# C - 50 ft., portions of Grant & Pacific. C - 65 ft., except 85 ft. for portions of Stockton if low income housing. See Zoning Map, § 254 50 ft. length and 100 ft. diagonal and above 40 ft. See Zoning Map, § 270
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[Sections 812.11 through 812.14 are unchanged.]

.15	Awning	§ 890.2((0))1	P § 136.2(a)
.16	Canopy	§ 890.2((6))4	P § 136.2(b)

[Section 812.17 is unchanged.]

			SEC. 812
			Residential N'hd Comm1
No.	Zoning Category	§ References	Controls

COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES

.19	Floor Area Ratio	§§ 102.((8))2, 102.1((0))1, 123	1.0 to 1 § 124(a)(b)
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[Sections 812.20 through 812.52 are unchanged.]

Retail Sales and Services

			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
.53	((Business or) Professional Service	§ 890.108	P		

(Sections 812.54 and 812.55 are unchanged.)

.56	Automobile Parking Lot, <u>Community Commercial</u>	§§ 890.((8))2, 156, 160	C		
.57	Automobile Parking Garage, <u>Community Commercial</u>	§ 890.10, 160	C		
.58	Automobile Parking Lot, <u>Public</u>	§ 890.11, 156	C		
.59	Automobile Parking Garage, <u>Public</u>	§ 890.12	C		
((.57)) .60	Automotive Gas Station	§ 890.14			
((.58)) .61	Automotive Service Station	§ 890.18			
((.59)) .62	Automotive Repair	§ 890.15			
((.60)) .63	Automotive Wash	§ 890.((19))20			
((.61)) .64	Automotive Sale or Rental	§ 890.1((2))3			
((.62)) .65	Animal Hospital	§ 890.6			
((.63)) .66	Ambulance Service	§ 890.2			

			SEC. 812		
			Residential N'h'd Comm'l		
			Controls by Story		
No.	Zoning Category	§ References	1st	2nd	3rd +
Retail Sales and Services					
((.64)) .67	Mortuary	§ 890.62	C	C	
((.65)) .68	Trade Shop	§ 890.124	P		

[Sections 812.70 through 812.94 are unchanged.]

RESIDENTIAL STANDARDS AND USES

((.95)	Community Residential Parking	§ 890.10	C	C	C))
.95	Automobile Parking Lot, Community Residential	§ 890.7, 156, 160	C	C	C
.96	Automobile Parking Garage, Community Residential	§ 890.8, 160	C	C	C

[SPECIFIC PROVISIONS FOR CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT are unchanged.]

[Please note: Sections 813 through 820 are new additions]

SEC. 813 RED — RESIDENTIAL ENCLAVE DISTRICT. Residential Enclave Districts (RED) encompass the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the South of Market SLR district. Within these predominantly residential enclaves lie a number of vacant parcels, parking lots and other properties in open storage use. These properties are undeveloped or underdeveloped and are viewed as opportunity sites for new, moderate-income, in-fill housing.

The zoning controls for this district are tailored to the design needs and neighborhood characteristics of these enclaves and are intended to encourage and facilitate the development of attractive, compatible and economically feasible in-fill housing while providing adequate residential amenities to the site and neighborhood.

Existing commercial activities in non-residential structures may continue as nonconforming uses subject to the termination requirements of Sections 185 and 186. Live/Work units limited to arts activities are permitted within the district as a principal use. Existing live/work units with other non-residential uses may continue as a nonconforming use.

Table 813: RED -- RESIDENTIAL ENCLAVE DISTRICT
ZONING CONTROL TABLE

Article 8 Zoning Category	Zoning Control Category for Building Standards	Planning Code Section (§) Reference	Article 8 Control
813.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map, generally 40 feet
813.02	Bulk Limit Designation	See Zoning Map, §270	As shown on Sectional Maps 1 and 7 of the Zoning Map
Article 8 Zoning Category	Zoning Control Category for Use Standards	Planning Code Section Reference	Article 8 Control
813.03	Residential Density Limit	§ 124(b), 207.5, 208	1:400 for dwelling units; 1 bedroom for each 140 sq. ft. of lot area for group housing
813.04	Non-Residential Density Limit (Floor Area Ratio)	§102.9, 123, 124, 127	Generally, 1.0 to 1 FAR
813.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	60 sq. ft. per unit, if private, 80 sq. ft. if common
813.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
813.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
813.09	Outdoor Activity Area	§ 890.70	P
813.10	Walk-up Facility, except Automated Bank Teller Machine	§ 890.140	P

Table 813: RED -- RESIDENTIAL ENCLAVE DISTRICT
ZONING CONTROL TABLE (continued)

Article 8 Zoning Category	Zoning Control Category for Use Standards	Planning Code Section Reference	Article 8 Control
813.11	Automated Bank Teller Machine	§ 803.5(d)	NP
813.12	Residential Conversion	§ 803.5(b)	C
813.13	Residential Demolition	§ 803.5(b)	C

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
	<u>Residential Use</u>		
813.14	Dwelling Units	§ 102.7	P
813.15	Group Housing	§ 890.88(b)	C
	<u>Institutions</u>		
813.17	Hospital, Medical Centers	§ 890.44	NP
813.18	Residential Care	§ 890.50(e)	C
813.19	Educational Services	§ 890.50(c)	C
813.20	Religious Facility	§ 890.50(d)	C
813.21	Assembly and Social Service, except Open Recreation or Horticulture	§ 890.50(a)	C
813.22	Child Care	§ 890.50(b)	P

Table 813: RED -- RESIDENTIAL ENCLAVE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Vehicle Parking</u>			
813.25	Automobile Parking Lot, Community Residential	§ 890.7	P
813.26	Automobile Parking Garage, Community Residential	§ 890.8	C
813.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
813.28	Automobile Parking Garage, Community Commercial	§ 890.10	C
813.29	Automobile Parking Lot, Public	§ 890.11	P
813.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Services</u>			
813.31	Sales and Services, Other Than Office Uses, Except as More Specifically Provided Below and in § 803.4	§ 890.104	NP
813.32	Bar	§ 890.22, 803.5(a)	NP
813.33	Restaurant, Full Service	§ 890.92, 803.5(a)	NP
813.35	Take Out Food Service	§ 890.122, 803.5(a)	NP
813.36	Personal Services	§ 890.116	NP

Table 813: RED -- RESIDENTIAL ENCLAVE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Assembly, Recreation, Arts and Entertainment</u>			
813.37	Nighttime Entertainment	§ 102.17	NP
813.38	Meeting Hall, Not Falling Within Category 813.21	§ 221(c)	NP
813.39	Recreation Building, Not Falling Within Category 813.21	§ 221(e)	NP
813.40	Pool Hall, Card Club, Not Falling Within Category 813.21	§ 221(f)	NP
813.41	Theater, Falling Within §221(d), Except Movie Theater	§ 221(d), 890.64	NP
<u>Home and Business Service</u>			
813.42	Trade Shop	§ 890.124	NP
813.43	Catering Services	§ 890.25	NP
813.45	Business Goods and Equipment Repair Service	§ 890.23	NP
813.46	Arts Activities, Except Within a Live/Work Unit, And Other Than Theaters	§ 102.2	NP
813.47	Business Services	§ 890.111	NP

Table 813: RED -- RESIDENTIAL ENCLAVE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Office</u>			
813.48	Professional Service	§ 890.108	NP
813.49	Office Uses as Defined in §313(a), Not Specifi- cally Listed Elsewhere	§ 101.1(b)(5), 313(a)(19)	NP
813.50	Office Uses, in Designated Landmark Buildings	§ 803.5(c)	C
<u>Live/Work Units</u>			
813.51	Live/Work Unit Falling Within Terms of Sections 209.9(f) or 209.9(g)	§ 102.2, 102.13, 209.9(f),(g), 233	P
813.52	Live/Work Units Not In- cluded Above, Where All Non-Residential Activity is Otherwise Permitted in this District, or is Otherwise Conditional and is Approved as a Condi- tional Use.	§ 102.13, 233	NP
813.53	Live/Work Units Not Included Above	§ 102.13, 233	NP, except C pursuant to § 803.5(c)
813.54	Vehicle Storage--Open Lot	§ 890.131	NP
813.55	Vehicle Storage--Enclosed Lot or Structure	§ 890.132	P
<u>Automotive Services</u>			
813.56	Automotive Service Station, Automotive Wash	§ 890.18, 890.20	NP
813.57	Automotive Repair	§ 890.15	NP
813.58	Automobile Tow Service	§ 890.19	NP

Table 813: RED -- RESIDENTIAL ENCLAVE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Use Category Zoning Category	Planning Code Section Reference	Article 8 Control
813.59 Non-Auto Vehicle Sales or Rental	§ 890.69	NP
813.60 Public Transportation Facility	§ 890.80	NP
<u>Industrial</u>		
813.61 Wholesale Sales	§ 890.54(b)	NP
813.62 Light Manufacturing	§ 890.54(a)	NP
813.63 Heavy Industrial	§ 890.55	NP
813.64 Wholesaling, Storage, Distribution and Open Air Handling and Storage of Materials and/or Equipment, Not Falling Within Categories 813.61, 813.62, 813.63, 813.65 or 813.67	§ 225	NP
813.65 Storage	§ 890.54(c)	NP
<u>Other Uses</u>		
813.66 Animal Hospital	§ 890.6	NP
813.67 Open Air Sales	§ 890.38, 803.5(e)	NP
813.68 Ambulance Service	§ 890.2	NP
813.69 Open Recreation and Horticulture	§ 209.5	P
813.70 Public Use, Except Public Transportation Facility	§ 890.80	C
813.71 Planned Unit Development	§ 304	NP
813.72 Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C

SEC. 814. SPD-SOUTH PARK DISTRICT. South Park is an attractive affordable mixed use neighborhood. The South Park District (SPD) is intended to preserve the scale, density and mix of commercial and residential activities within this unique neighborhood. The district is characterized by small scale, continuous frontage warehouse, retail and residential structures built in a ring around an oval-shaped, grassy park. Retention of the existing structures is encouraged, as is a continued mix of uses and in-fill development which contributes positively to the neighborhood scale and use mix.

Most retail, general commercial, service/light industrial, institutional, arts, live/work and residential activities are permitted. Hotels, motels, movie theaters, adult entertainment, nighttime entertainment and office uses are not permitted.

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Table 814: SPD - SOUTH PARK DISTRICT
ZONING CONTROL TABLE

Article 8 Zoning Category	Building Standards Section Reference	Planning Code Control	Article 8
814.01	Height Limit Designation	See Zoning Map	As shown on Sectional Map 1 of the Zoning Map; 40 feet or O.S.
814.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Map 1 of the Zoning Map

Article 8 Zoning Category	Use Standards Section Reference	Planning Code Control	Article 8
814.03	Residential Density Limit	§ 124, 207.5, 208	1:600 for dwelling units; 1 bedroom for each 210 sq. ft. of lot area for group housing.
814.04	Non-Residential Density Limit (Floor Area Ratio)	§ 102.9, 123, 124 127	Generally 1.8 to 1 FAR
814.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	80 sq. ft. per unit, if private, 106 sq. ft. if common
814.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq.ft. per unit
814.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
814.09	Outdoor Activity Area	§ 890.70	P
814.10	Walk-up Facility, Except Automated Bank Teller Machine	§ 890.140	P
814.11	Automated Bank Teller Machine	§ 803.5(d)	NP

Table 814: SPD - SOUTH PARK DISTRICT
ZONING CONTROL TABLE

Article 8 Zoning Category	Use Standards Section Reference	Planning Code Control	Article 8
814.12	Residential Conversion	§ 803.5(b)	C
814.13	Residential Demolition	§ 803.5(b)	C
<hr/>			
Article 8 Zoning Category	Use Category Section Reference	Planning Code Control	Article 8
<u>Residential Use</u>			
814.14	Dwelling Units	§ 102.7	P
814.15	Group Housing	§ 890.88(b)	C
<u>Institutions</u>			
814.17	Hospital, Medical Centers	§ 890.44	NP
814.18	Residential Care	§ 890.50(e)	C
814.19	Educational Services	§ 890.50(c)	NP
814.20	Religious Facility	§ 890.50(d)	C
814.21	Assembly and Social Service, Except Open Recreation and Horti- culture	§ 890.50(a)	C
814.22	Child Care	§ 890.50(b)	P
<u>Vehicle Parking</u>			
814.25	Automobile Parking Lot, Community Residential	§ 890.7	P
814.26	Automobile Parking Garage, Community Residential	§ 890.8	C

Table 814: SPD - SOUTH PARK DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Home and Business Service</u>			
814.40	Pool Hall, Card Club, Not Falling Within Category 814.21	§ 221(f)	NP
814.41	Theater, Falling Within § 221(d), Except Movie Theater	§ 221(d), 890.64	NP
814.42	Trade Shop	§ 890.124	P
814.43	Catering Services	§ 890.25	P
814.45	Business Goods and Equipment Repair Service	§ 890.23	P
814.46	Arts Activities, Other Than Theaters	§ 102.2	P
814.47	Business Services	§ 890.111	P
<u>Office</u>			
814.48	Professional Service	§ 890.108	P
814.49	Office Uses as Defined in §313(a), Not Specifi- cally Listed Elsewhere	§ 101.1(b)(5), 313(a)(19)	P
814.50	Office Uses in Desig- nated Landmark Buildings	§ 101.1(b)(5), 803.5(c)	P

Table 814: SPD - SOUTH PARK DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
814.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
814.28	Automobile Parking Garage, Community Commercial	§ 890.10	C
814.29 *	Automobile Parking Lot, Public	§ 890.11	P
814.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Services</u>			
814.31	Sales and Services, Other Than Office Uses, Except as More Specifically Provided Below and in § 803.4	§ 890.104	P
814.32	Bar	§ 890.22, 803.5(a)	P
814.33	Restaurant, Full-Service	§ 890.92, 803.5(a)	P
814.35	Take Out Food Service	§ 890.122, 803.5(a)	P
814.36	Personal Services	§ 890.116	P
<u>Assembly, Recreation, Arts and Entertainment</u>			
814.37	Nighttime Entertainment	§ 102.17	NP
814.38	Meeting Hall, Not Falling Within Category 814.21	§ 221(c)	C
814.39	Recreation Building, Not Falling Within Category 814.21	§ 221(e)	C

Table 814: SPD - SOUTH PARK DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Live/Work Units</u>			
814.51	Live/Work Units Falling Within Terms of §§209.9(f) or 209.9(g)	§ 102.2, 102.13, 209.9(f), (g), 233	P
814.52	Live/Work Units Where All Non-Residential Activity is Otherwise Permitted in this District, or is Otherwise Conditional and is approved as a Conditional Use	§ 102.13, 233	P
814.53	Live/Work Units Not Included Above	§ 102.13, 233	P
<u>Automotive Services</u>			
814.54	Vehicle Storage--Open Lot	§ 890.131	NP
814.55	Vehicle Storage--Enclosed Lot or Structure	§ 890.132	NP
814.56	Automotive Service Station, Automotive Wash	§ 890.18, 890.20	NP
814.57	Automotive Repair	§ 890.15	NP
814.58	Automobile Tow Service	§ 890.19	NP
814.59	Non-Auto Vehicle Sales or Rental	§ 890.69	P
814.60	Public Transportation Facilities	§ 890.80	NP

Table 814: SPD - SOUTH PARK DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Industrial</u>			
814.61	Wholesale Sales	§ 890.54(b)	P
814.62	Light Manufacturing	§ 890.54(a)	P
814.63	Heavy Industrial	§ 890.55	NP
814.64	Wholesaling, Storage, Distribution and Open Air Handling and Storage of Materials and/or Equipment, Not Falling Within Categories 814.61, 814.62, 814.63, 814.65 or 814.67	§ 225	NP
814.65	Storage	§ 890.54(c)	P
<u>Other Uses</u>			
814.66	Animal Hospital	§ 890.6(b)	NP
814.67	Open Air Sales	§ 803.5(e), § 890.38	P
814.68	Ambulance Service	§ 890.2	NP
814.69	Open Recreation and Horticulture	§ 209.5	P
814.70	Public Use, Except Public Transportation Facility	§ 890.80	C
814.71	Planned Unit Development	§ 304	NP
814.72	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C

SEC. 815 RSD-RESIDENTIAL/SERVICE MIXED USE DISTRICT. The Residential/Service Mixed Use District (RSD) serves as a buffer between the higher density, predominantly commercial area of Yerba Buena Center to the east and the low scale, predominantly service/industrial area west of Sixth Street. The RSD serves as a major housing opportunity area within the South of Market Mixed Use District. The district controls are intended to facilitate the development of high density, mid-rise housing, including residential hotels and live/work units, while also encouraging the expansion of retail, business service and commercial and cultural arts activities.

Residential hotels are subject to flexible standards for parking, rear yard/open space and density. Continuous ground floor commercial frontage with pedestrian-oriented retail activities along major thoroughfares is encouraged.

Office, hotels, nighttime entertainment, adult entertainment, movie theaters and heavy industrial uses are not permitted.

Table 815: RSD - RESIDENTIAL/SERVICE MIXED USE DISTRICT
ZONING CONTROL TABLE

Article 8 Zoning Category	Zoning Control Category for Building Standards	Planning Code Section Reference	Article 8 Control
815.01	Height Limit Designation	See Zoning Map	As shown on Sectional Map 1 of the Zoning Map, generally ranges from 40 to 85 feet
815.02 *	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Map 1 of the Zoning Map
Article 8 Zoning Category	Zoning Control Category for Use Standards	Planning Code Section Reference	Article 8 Control
815.03	Residential Density Limit	§ 124(b), 207.5, 208	1:200 for dwellings in projects below 40 ft., above 40 ft. density to be determined as part of Conditional Use process; 1-bedroom for each 70 sq.ft. of lot area for group housing
815.04	Non-Residential Density Limit (Floor Area Ratio)	§ 102.9, 123, 124, 127	Generally 1.8 to 1 FAR
815.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq.ft. per unit if private, 48 sq. ft. if common
815.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
815.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
815.09	Outdoor Activity Area	§ 890.70	P
City Planning Commission		174	

Table 815: RSD - RESIDENTIAL/SERVICE MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Zoning Control Category for Use Standards	Planning Code Section Reference	Article 8 Control
815.10	Walk-up Facility, Except Automated Bank Teller Machine	§ 890.140	P
815.11	Automated Bank Teller Machine	§ 803.5(d)	P
815.12	Residential Conversion	§ 803.5(b)	C
815.13	Residential Demolition	§ 803.5(b)	C

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
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Residential Use

815.14	Dwelling Units	§ 102.7	P
815.15	Group Housing	§ 890.88(b)	C

Institutions

815.17	Hospital, Medical Centers	§ 890.44	NP
815.18	Residential Care	§ 890.50(e)	C
815.19	Educational Services	§ 890.50(c)	P
815.20	Religious Facility	§ 890.50(d)	C
815.21	Assembly and Social Service, Except Open Recreation and Horticul- ture.	§ 890.50(a)	C
815.22	Child Care	§ 890.50(b)	P

Table 815: RSD - RESIDENTIAL/SERVICE MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Vehicle Parking</u>			
815.25	Automobile Parking Lot, Community Residential	§ 890.7	P
815.26	Automobile Parking Garage, Community Residential	§ 890.8	C
815.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
815.28	Automobile Parking Garage, Community Commercial	§ 890.10	C
815.29	Automobile Parking Lot, Public	§ 890.11	P
815.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Services</u>			
815.31	Sales and Services, Other Than Office Uses, Except as More Specifically Provided Below and in Section 803.4	§ 890.104	P
815.32	Bar	§ 890.22, 803.5(a)	P
815.33	Restaurant, Full-Service	§ 890.92, 803.5(a)	P
815.35	Take Out Food Service	§ 890.122, 803.5(a)	P
815.36	Personal Services	§ 890.116	P

Table 815: RSD - RESIDENTIAL/SERVICE MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Assembly, Recreation, Arts and Entertainment</u>			
815.37	Nighttime Entertainment	§ 102.17, 181(f)	NP
815.38	Meeting Hall, Not Falling within Category 815.21	§ 221(c)	C
815.39	Recreation Building, Not Falling Within Category 815.21	§ 221(e)	C
815.40	Pool Hall, Card Club, Not Falling Within Category 815.21	§ 221(f)	P
815.41	Theater, Falling Within § 221(d), Except Movie Theater	§ 221(d), 890.64	P
<u>Home and Business Service</u>			
815.42	Trade Shop	§ 890.124	P
815.43	Catering Services	§ 890.25	P
815.45	Business Goods and Equipment Repair Service	§ 890.23	P
815.46	Arts Activities, Other Than Theaters	§ 102.2	P
815.47	Business Services	§ 890.111	P
<u>Office</u>			
815.48	Professional Service	§ 890.108	NP
815.49	Office Uses as Defined in §313(a), Not Speci- fically Listed Elsewhere	§ 101.1(b)(5), 313(a)(19)	NP

Table 815: RSD - RESIDENTIAL/SERVICE MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
815.50	Office Uses in Designated Landmark Buildings	§ 101.1(b)(5), 803.5(c)	C
<u>Live/Work Units</u>			
815.51 *	Live/Work Units Falling Within Terms of §§ 209.9(f) or 209.9(g)	§ 102.2, 102.13, 209.9(f), (g), 233	NA
815.52	Live/Work Units Where All Non-Residential Activity is Otherwise Permitted in this District, or is Otherwise Conditional and is Approved as a Conditional Use.	§ 102.13, 233	P
815.53	Live/Work Units, Not Included Above	§ 102.13, 233, 803.5(c)	NP, except C pursuant to § 803.5(c)
<u>Automotive Services</u>			
815.54	Vehicle Storage--Open Lot	§ 890.131	NP
815.55	Vehicle Storage--Enclosed Lot or Structure	§ 890.132	P
815.56	Automotive Service Station, Automotive Wash	§ 890.18, 890.20	P
815.57	Automotive Repair	§ 890.15	P
815.58	Automobile Tow Service	§ 890.19	C
815.59	Non-Auto Vehicles Sales or Rental	§ 890.69	P
815.60	Public Transportation Facilities	§ 890.80	C

Table 815: RSD - RESIDENTIAL/SERVICE MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Industrial</u>			
815.61	Wholesale Sales	§ 890.54(b)	P
815.62	Light Manufacturing	§ 890.54(a)	P
815.63	Heavy Industrial	§ 890.55	NP
815.64	Wholesaling, Storage, Distribution and Open Air Handling and Sto- rage of Materials and/ or Equipment, Not Falling Within Catego- ries 815.61, 815.62, 815.63, 815.65 or 815.67	§ 225	P
815.65	Storage	§ 890.54(c)	P
<u>Other Uses</u>			
815.66	Animal Hospital	§ 890.6	NP
815.67	Open Air Sales	§ 803.5(e), 890.38	P
815.68	Ambulance Service	§ 890.2	NP
815.69	Open Recreation and Horticulture	§ 209.5	P
815.70	Public Use, Except Public Transportation Facility	§ 890.80	C
815.71	Planned Unit Development	§ 304	C
815.72	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C

SEC. 816. SLR - Service/Light Industrial/Residential Mixed Use District. The Service/Light Industrial/Residential (SLR) Mixed Use District is designed to maintain and facilitate the growth and expansion of small scale light industrial, home and business service, wholesale distribution, arts production and performance/exhibition activities, live/work use, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing and live/work space at a scale and density compatible with the existing neighborhood.

Housing and live/work units are encouraged over ground floor commercial/service/light industrial activity. New residential or mixed use developments are encouraged to provide as much mixed-income rental housing as possible. Existing group housing and dwelling units would be protected from demolition or conversion to non-residential use by requiring conditional use review.*

Office, hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted.

TABLE 816: SLR - SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT ZONING CONTROL TABLE

Article 8 Zoning Category	Building Standards	Planning Code Section Reference	Article 8 Control
816.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 40 to 66 feet
816.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
Article 8 Zoning Category	Use Standards	Planning Code Section Reference	Article 8 Control
816.03	Residential Density Limit	§ 124, 207.5, 208,	1:200 for dwelling units; 1 bedroom for each 70 sq. ft. of lot area for group housing
816.04	Non-Residential Density Limit (Floor Area Ratio)	§ 102.9, 123, 124, 127	Generally 2.5 to 1 FAR
816.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	60 sq. ft. per unit, if private, 80 sq. ft. if common
816.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
816.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
816.09	Outdoor Activity Area	§ 890.70	P
816.10	Walk-up Facility, Except Automated Bank Teller Machine	§ 890.140	P

Table 816: SLR - SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Standards	Planning Code Section Reference	Article 8 Control
816.11	Automated Bank Teller Machine	§ 803.5(d)	P
816.12	Residential Conversion	§ 803.5(b)	C
816.13	Residential Demolition	§ 803.5(b)	C

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
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Residential Use

816.14	Dwelling Units	§ 102.7	P
816.15	Group Housing	§ 890.88(b)	C

Institutions

816.17	Hospital, Medical Centers	§ 890.44	NP
816.18	Residential Care	§ 890.50(e)	C
816.19	Educational Services	§ 890.50(c)	P
816.20	Religious Facility	§ 890.50(d)	P
816.21	Assembly and Social Service, Except Open Recreation and Horti- culture	§ 890.50(a)	C
816.22	Child Care	§ 890.50(b)	P

Table 816: SLR - SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Vehicle Parking</u>			
816.25	Automobile Parking Lot, Community Resi- dential	§ 890.7	P
816.26	Automobile Parking Garage, Community Residential	§ 890.8	P
816.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
816.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
816.29	Automobile Parking Lot, Public	§ 890.11	P
816.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Services</u>			
816.31	Sales and Services, Other Than Office Uses, Except as More Specifically Provided Below and in § 803.4	§ 890.104	P
816.32	Bar	§ 890.22, 803.5(a)	P
816.33	Restaurant, Full Service	§ 890.92, 803.5(a)	P
816.35	Take Out Food Service	§ 890.122, 803.5(a)	P
816.36	Personal Services	§ 890.116	P

Table 816: SLR - SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Assembly, Recreation, Arts and Entertainment</u>			
816.37	Nighttime Entertainment	§102.17, 181(f)	NP
816.38	Meeting Hall, Not Falling Within Category 816.21	§ 221(c)	C
816.39	Recreation Building, Not Falling Within Category 816.21	§ 221(e)	C
816.40	Pool Hall, Card Club, Not Falling Within Category 816.21	§ 221(f)	P
816.41	Theater, Falling Within § 221(d), Except Movie Theater	§ 221(d), 890.64	P
<u>Home and Business Service</u>			
816.42	Trade Shop	§ 890.124	P
816.43	Catering Services	§ 890.25	P
816.45	Business Goods and Equipment Repair Service	§ 890.23	P
816.46	Arts Activities, Other Than Theaters	§ 102.2	P
816.47	Business Services	§ 890.111	P
<u>Office</u>			
816.48	Professional Service	§ 890.108	NP
816.49	Office Uses as Defined in § 313(a), Not Spec- ifically Listed Elsewhere	§ 101.1(b)(5), 313(a)(19)	NP
816.50	Office Uses in Designated Landmark Buildings	§ 101.1(b)(5), 803.5(c)	C

Table 816: SLR - SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Live/Work Units</u>			
816.51	Live/Work Units Falling Within Terms of §§209.9(f) or 209.9(g)	§ 102.2, 102.13, 209.9(f), (g), 233	P
816.52	Live/Work Units Where All Non-Residential Activity is Otherwise Permitted in this District, or is Otherwise Conditional and is Approved as a Conditional Use	§ 102.13, 233	P
816.53	Live/Work Units, Not Included Above	§ 102.13, 233, 803.5(c)	NP, except C pursuant to § 803.5(c)
<u>Automotive Services</u>			
816.54	Vehicle Storage--Open Lot	§ 890.131	NP
816.55	Vehicle Storage--Enclosed Lot or Structure	§ 890.132	P
816.56	Automotive Service Station, Automotive Wash	§ 890.18, 890.20	P
816.57	Automotive Repair	§ 890.15	P
816.58	Automobile Tow Service	§ 890.19	C
816.59	Non-Auto Vehicle Sales or Rental	§ 890.69	P
816.60	Public Transportation Facilities	§ 890.80	P

Table 816: SLR - SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL MIXED USE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Industrial</u>			
816.61	Wholesale Sales	§ 890.54(b)	P
816.62	Light Manufacturing	§ 890.54(a)	P
816.63 *	Heavy Industrial	§ 890.55	NP
816.64	Wholesaling, Storage, Distribution and Open Air Handling and Sto- rage of Materials and/ or Equipment, Not Falling Within Cate- gories 816.61, 816.62, 816.63, 816.65 or 816.67	§ 225	P
816.65	Storage	§ 890.54(c)	P
<u>Other Uses</u>			
816.66	Animal Hospital	§ 890.6	NP
816.67	Open Air Sales	§ 803.5(e), 890.38	P
816.68	Ambulance Service	§ 890.2	NP
816.69	Open Recreation and Horticulture	§ 209.5	P
816.70	Public Use, Except Public Transportation Facility	§ 890.80	C
816.71	Planned Unit Develop- ment	§ 304	C
816.72	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C

SEC. 817 SLI - Service/Light Industrial District. The Service/Light Industrial District (SLI) District is designed to protect and facilitate the expansion of existing general commercial, manufacturing, home and business service, live/work use, arts uses and other light industrial activities. Existing group housing and dwelling units are protected from demolition or conversion to non-residential use and development of group housing and low-income affordable dwelling units are permitted as a conditional use. Nighttime entertainment is permitted as a conditional use subject to the provisions of Section 803.5(a). Office, hotels, movie theaters and adult entertainment uses are not permitted.

Table 817: SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT
ZONING CONTROL TABLE

Article 8 Zoning Category	Building Standards	Planning Code Section Reference	Article 8 Control
817.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranges from 30 to 66 feet
817.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
Article 8 Zoning Category	Use Standards	Planning Code Section Reference	Article 8 Control
817.03	Residential Density Limit	§ 208	1:200 for dwelling units; 1-bedroom for each 70 sq.ft. of lot area for group housing
817.04	Non-Residential Density Limit (Floor Area Ratio)	§ 102.9, 123, 124, 127	Generally 2.5 to 1 FAR
817.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq.ft. per unit
817.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
817.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
817.09	Outdoor Activity Area	§ 890.70	P
817.10	Walk-up Facility, Except Automated Bank Teller Machine	§ 890.140	P

Table 817: SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT
ZONING CONTROL TABLE(Continued)

Article 8 Zoning Category	Use Standards	Planning Code Section Reference	Article 8 Control
817.11	Automated Bank Teller Machine	§ 803.5(d)	P
817.12	Residential Conversion	§ 803.5(b)	C
817.13	Residential Demolition	§ 803.5(b)	C
Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control

Residential Use

817.14	Dwelling Units	§ 102.7, 803.5(f)	C, if low-income pursuant to § 803.5(f); otherwise NP
817.15	Group Housing	§ 890.88(b)	C

Institutions

817.17	Hospital, Medical Centers	§ 890.44	NP
817.18	Residential Care	§ 890.50(e)	NP
817.19	Educational Services	§ 890.50(c)	P
817.20	Religious Facility	§ 890.50(d)	P
817.21	Assembly and Social Service, Except Open Recreation and Horti- culture	§ 890.50(a)	C
817.22	Child Care	§ 890.50(b)	P

Vehicle Parking

817.25	Automobile Parking Lot, Community Residential	§ 890.7	P
817.26	Automobile Parking Garage, Community Residential	§ 890.8	P

Table 817: SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
817.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
817.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
817.29	Automobile Parking Lot, Public	§ 890.11	P
817.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Services</u>			
817.31	Sales and Services, Other Than Office Uses, Except as More Specifically Provided Below and in § 803.4	§ 890.104	P
817.32	Bar	§ 890.22, 803.5(a)	P
817.33	Restaurant, Full Service	§ 890.92, 803.5(a)	P
817.35	Take Out Food Service	§ 890.122, 803.5(a)	P
817.36	Personal Service	§ 890.116	P
<u>Assembly, Recreation, Arts and Entertainment</u>			
817.37	Nighttime Entertainment	§ 102.17	C
817.38	Meeting Hall, Not Falling Within Category 817.21	§ 221(c)	C
817.39	Recreation Building, Not Falling Within Category 817.21	§ 221(e)	C

Table 817: SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
817.40	Pool Hall, Card Club, Not Falling Within Category 817.21	§ 221(f)	P
817.41	Theater, Falling Within § 221(d), Except Movie Theater	§ 221(d), 890.64	P
<u>Home and Business Service</u>			
817.42	Trade Shop	§ 890.124	P
817.43	Catering Services	§ 890.25	P
817.45	Business Goods and Equipment Repair Service	§ 890.23	P
817.46	Arts Activities, Other Than Theaters	§ 102.2	P
817.47	Business Services	§ 890.111	P
<u>Office</u>			
817.48	Professional Service	§ 890.108	NP
817.49	Office Uses as Defined in § 313(a), Not Specifi- cally Listed Elsewhere	§ 101.1(b)(5), 313(a)(19)	NP
817.50	Office Uses in Designated Landmark Buildings	§ 101.1(b)(5), 803.5(c)	C

Table 817: SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Live/Work Units</u>			
817.51	Live/Work Units Falling Within the Terms of §§209.9(f) or 209.9(g)	§ 102.2, 102.13, 209.9(f), (g) 233	P
817.52	Live/Work Units Where All Non-Residential Activity is Otherwise Permitted in this District, or is Otherwise Conditional and is Approved as a Conditional Use.	§ 102.13, 233	P
817.53	Live/Work Units, Not Included Above	§ 102.13, 233, 803.5(c)	NP, except C pursuant to § 803.5(c)
<u>Automotive Services</u>			
817.54	Vehicle Storage--Open Lot	§ 890.131	P
817.55	Vehicle Storage--Enclosed Lot or Structure	§ 890.132	P
817.56	Automotive Service Station, Automotive Wash	§ 890.18, 890.20	P
817.57	Automotive Repair	§ 890.15	P
817.58	Automobile Tow Service	§ 890.19	C
817.59	Non-Auto Vehicle Sale or Rental	§ 890.69	P
817.60	Public Transportation Facilities	§ 890.80	P

Table 817: SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Industrial</u>			
817.61	Wholesale Sales	§ 890.54(b)	P
817.62	Light Manufacturing	§ 890.54(a)	P
817.63	Heavy Industrial	§ 890.55	P
817.64	Wholesaling, Storage, Distribution and Open Air Handling and Storage of Materials and/or Equipment, Not Falling Within Catego- ries 817.61, 817.62, 817.63, 817.65 or 817.67	§ 225	P
817.65	Storage	§ 890.54(c)	P
<u>Other Uses</u>			
817.66	Animal Hospital	§ 890.6	P
817.67	Open Air Sales	§ 803.5(e), 890.38	P
817.68	Ambulance Service	§ 890.2	P
817.69	Open Recreation and Horticulture	§ 209.5	P
817.70	Public Use, Except Public Transportation Facility	§ 890.80	P
817.71	Planned Unit Develop- ment	§ 304	C
817.72	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C

SEC. 818. SSO - SERVICE/SECONDARY OFFICE DISTRICT. The Service/Secondary Office District (SSO) is designed to accommodate small scale light industrial, home and business services, arts activities, live/work units, and small scale, low-cost professional office space and low-cost, large-floor-plate "back office" space for sales and clerical workforces. Dwelling units and group housing are permitted as a conditional use. Demolition or conversion of existing group housing or dwelling units would require conditional use authorization.

Office, general commercial, most retail, service and light industrial activities are principal permitted uses. Hotels, movie theaters, adult entertainment and heavy industrial uses are not permitted.

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE

Article 8 Zoning Category	Building Standards	Planning Code Section Reference	Article 8 Control
818.01	Height Limit Designation	See Zoning Map	As shown on Sectional Maps 1 and 7 of the Zoning Map; generally ranging from 40 to 130 feet
818.02	Bulk Limit Designation	See Zoning Map, § 270	As shown on Sectional Maps 1 and 7 of the Zoning Map
Article 8 Zoning Category	Use Standards	Planning Code Section Reference	Article 8 Control
818.03	Residential Density	§ 124(b), 207.5, 208	1:200 for dwellings; 1 bedroom for each 70 sq.ft. of lot area for group housing
818.04	Non-Residential Density Limit (Floor Area Ratio)	§ 102.9, 123, 124, 127	Generally 3.0 to 1 FAR within 40 or 50 foot height district, and 4.0 to 1 FAR in 66, 80 or 130 foot height district
818.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	36 sq.ft. per unit
818.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit
818.07	Usable Open Space for Other Uses	§135.3	Varies by use
818.09	Outdoor Activity Area	§ 890.70	P

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE(Continued)

Article 8 Zoning Category	Use Standards	Planning Code Section Reference	Article 8 Control
818.10	Walk-up Facility, Except Automated Bank Teller Machine	§ 890.140	P
818.11	Automated Bank Teller Machine	§ 803.5(d)	P
818.12	Residential Conversion	§ 803.5(b)	C
818.13	Residential Demolition	§ 803.5(b)	C
Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control

Residential Use

818.14	Dwelling Units	§ 102.7	C
818.15	Group Housing	§ 890.88(b)	C

Institutions

818.17	Hospital, Medical Centers	§ 890.44	P
818.18	Residential Care	§ 890.50(c)	NP
818.19	Educational Services	§ 890.50(c)	P
818.20	Religious Facility	§ 890.50(d)	P
818.21	Assembly and Social Service, Except Open Recreation and Horti- culture	§ 890.50(a)	C
818.22	Child Care	§ 890.50(b)	P

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE(Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Vehicle Parking</u>			
818.25	Automobile Parking Lot, Community Residential	§ 890.7	P
818.26	Automobile Parking Garage, Community Residential	§ 890.8	P
818.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
818.28	Automobile Parking Garage, Community Commercial	§ 890.10	P
818.29	Automobile Parking Lot, Public	§ 890.11	P
818.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Services</u>			
818.31	Sales and Services, Other Than Office Uses, Except as More Specifically Provided Below and in § 803.4	§ 890.104	P
818.32	Bar	§ 890.22, 803.5(a)	P
818.33	Restaurant, Full-Service	§ 890.92, 803.5(a)	P
818.35	Take Out Food Service	§ 890.122, 803.5(a)	P
818.36	Personal Service	§ 890.116	P

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE(Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Assembly, Recreation, Arts and Entertainment</u>			
818.37	Nighttime Entertainment	§ 102.17, 803.5(a)	C
818.38	Meeting Hall, Not Falling Within Category 818.21	§ 221(c)	P
818.39 +	Recreation Building, Not Falling Within Category 818.21	§ 221(e)	P
818.40	Pool Hall, Card Club, Not Falling Within Category 818.21	§ 221(f)	P
818.41	Theater, Falling Within § 221(d), Except Movie Theater	§ 221(d), 890.64	P
<u>Home and Business Service</u>			
818.42	Trade Shop	§ 890.124	P
818.43	Catering Services	§ 890.25	P
818.45	Business Goods and Equipment Repair Service	§ 890.23	P
818.46	Arts Activities, Other Than Theaters	§ 102.2	P
818.47	Business Services	§ 890.111	P

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
<u>Office</u>			
818.48	Professional Service	§ 890.108	P
818.49	Office Uses as Defined in § 313(a), Not Spec- ifically Listed Elsewhere	§ 101.1(b)(5), 313(a)(19)	P
818.50	Office Uses in Designated Landmark Buildings and Contributory Buildings in Designated Historic Districts	§ 101.1(b)(5), 803.5(c)	P
<u>Live/Work Units</u>			
818.51	Live/Work Units Falling Within the Terms of §§209.9(f) or 209.9(g)	§ 102.2, 102.13, 209.9(f), (g) 233	P
818.52	Live/Work Units Where All Non-Residential Activity is Otherwise Permitted in this District, or is Otherwise Conditional and is Approved as a Conditional Use	§ 102.13, 233	P
818.53	Live/Work Units Not Included Above	§ 102.13, 233	NA
<u>Automotive Services</u>			
818.54	Vehicle Storage--Open Lot	§ 890.131	NP
818.55	Vehicle Storage-- Enclosed Lot or Structure	§ 890.132	P

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
818.56	Automotive Service Station, Automotive Wash	§ 890.18, 890.20	P
818.57	Automotive Repair	§ 890.15	P
818.58	Automobile Tow Service	§ 890.19	C
818.59	Non-Auto Vehicle Sale or Rental	§ 890.69	P
818.60	Public Transportation Facilities	§ 890.80	P
<u>Industrial</u>			
818.61	Wholesale Sales	§ 890.54(b)	P
818.62	Light Manufacturing	§ 890.54(a)	P
818.63	Heavy Industrial	§ 890.55	P
818.64	Wholesaling, Storage, Distribution and Open Air Handling and Storage of Materials and/or Equipment Not Falling Within Categories § 818.61, 818.62, 818.63, 818.65 or 818.67	§ 225	P
818.65	Storage	§ 890.54(c)	P
<u>Other Uses</u>			
818.66	Animal Hospital	§ 890.6	P
818.67	Open Air Sales	§ 803.5(e), 890.38	P
818.68	Ambulance Service	§ 890.2	P
818.69	Open Recreation and Horticulture	§ 209.5	P

Table 818: SSO - SERVICE/SECONDARY OFFICE DISTRICT
ZONING CONTROL TABLE (Continued)

Article 8 Zoning Category	Use Category	Planning Code Section Reference	Article 8 Control
818.70	Public Use, Except Public Transportation Facility	§ 890.80	P
818.71	Planned Unit Development	§ 304	C
818.72	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C

SEC. 819. Extended Preservation District. The Extended Preservation District, as shown on Sectional Map 3SU of the Zoning Map, incorporates an area, formerly zoned C-3-S, in which provisions of Article 11 and Section 128 continue to be in effect.

SEC. 820. South of Market Base District. The South of Market Base District encompasses all of the individual South of Market use districts governed by Sections 813 through 818 of this Code. The South of Market Base District is shown on Sectional Map 3SU of the Zoning Map.

SEC. 890. DEFINITIONS FOR MIXED USE DISTRICTS. This and the following Sections provide the definitions for Mixed Use Districts. In case of conflict between the following definitions and those set forth in Sections 102 through 102.2((5))8 and in Article 2, the following definitions shall prevail for Mixed Use Districts, unless the only definition or definitions referred to for a zoning category are ones in Sections 102 through 102.28 or in Article 2.

[Sections 890.2 through 890.6 are unchanged.]

SEC. 890.7. AUTOMOBILE PARKING LOT, COMMUNITY RESIDENTIAL. A use which provides temporary parking accommodations on an open or enclosed lot for private automobiles, trucks, vans, bicycles and/or motorcycles for residents and visitors of residents of the vicinity, without parking of commercial vehicles, recreational vehicles, mobile homes, boats or other vehicles or long-term storage of vehicles.

SEC. 890.8. AUTOMOBILE PARKING GARAGE, COMMUNITY RESIDENTIAL. A use which provides temporary parking accommodations in a garage, or combination garage and lot for private automobiles, trucks, vans, bicycles and/or motorcycles for residents and visitors of residents in the vicinity, without parking of commercial vehicles, recreational vehicles, mobile homes, boats or other vehicles or long term storage of vehicles. ((vehicles whether conducted within a garage or on an open lot, excluding accessory parking, as defined in Section 204.5 of this Code, and community residential parking, as defined in Section 890.10 of this Code. Provisions regulating automobile parking are set forth in Sections 155, 156, 158 and other provisions of Article 1.5 of this Code. Parking of commercial vehicles or trucks shall be limited to commercial passenger vehicles and light delivery trucks only and must be conducted within a garage.))

SEC. 890.9. AUTOMOBILE PARKING LOT, COMMUNITY COMMERCIAL. A use which provides temporary parking accommodations on an open or enclosed lot for automobiles, vans, trucks, bicycles and/or motorcycles for operators, employees, clients and/or visitors of a permitted, or approved conditional, non-residential use in the vicinity, without parking of recreational vehicles, mobile homes, boats or other vehicles or storage of vehicles, goods or equipment.

SEC. 890.10. AUTOMOBILE PARKING GARAGE, COMMUNITY COMMERCIAL ((RESIDENTIAL)). A use which provides temporary parking accommodations in a garage, or combination garage and lot, for automobiles, vans, trucks, bicycles and/or motorcycles for operators, employees, clients and/or visitors of a permitted, or approved conditional, non-residential use in the vicinity, without parking of recreational vehicles, mobile homes, boats or other vehicles or storage of vehicles, goods or equipment.((, including a garage or lot for the storage of private passenger automobiles for residents of the vicinity and meeting the requirements of Section 159 and other sections in Article 1.5 of this Code, and excluding accessory parking, as defined in Section 204.5 of this Code.))

SEC. 890.11. AUTOMOBILE PARKING LOT, PUBLIC. A use which provides temporary parking accommodations for private automobiles, trucks, vans, bicycles or motorcycles on an open or enclosed lot open to the public, without parking of recreational vehicles, motor homes, boats or other vehicles, or storage of vehicles, goods or equipment.

SEC. 890.12. AUTOMOBILE PARKING GARAGE, PUBLIC. A use which provides temporary parking accommodations for automobiles, trucks, vans, bicycles or motorcycles in a garage open to the public, without parking of recreational vehicles, mobile homes, boats or other vehicles, or storage of vehicles, goods or equipment.

SEC. 890.1((2))3. AUTOMOBILE SALE OR RENTAL. A retail use which provides vehicle sales or rentals whether conducted within a building or on an open lot.

[Sections 890.14 through 890.18 are unchanged.]

SEC. 890.19 AUTOMOTIVE TOW SERVICE. A service use which provides vehicle towing service, including accessory vehicle storage, when all tow trucks used and vehicles towed by the use are parked or stored on the premises.

SEC. 890.((19))20 AUTOMOTIVE WASH. A retail automotive service use which provides cleaning and polishing of motor vehicles, including self-service operations, when such cleaning and polishing are conducted within an enclosed building having no openings, other than fixed windows or exits required by law located within 50 feet of any R District, and which has an off-street waiting and storage area outside the building which accommodates at least 1/4 the hourly capacity in vehicles of the enclosed operations.

~~SEC. 890.((20))~~21. AWNING. A light roof-like structure, supported entirely by the exterior wall of a building; consisting of a fixed or movable frame covered with cloth, plastic or metal; extending over doors, windows, and/or show windows; with the purpose of providing protection from sun and rain and/or embellishment of the facade; as further regulated in Sections 4505 and 5211 of the Building Code.

[Section 890.22 is unchanged.]

SEC. 890.23. BUSINESS GOODS AND EQUIPMENT SALES AND REPAIR SERVICE. A service use which involves the sale, rental, installation, servicing and/or repair of business goods and equipment including the following items: office machines and business equipment; calipers, gauges and other precision instruments; cameras and other optical equipment; medical, scientific, musical or navigational instruments; fire safety and security systems and equipment; and other similar business machines and equipment. It also includes motor, machine, engine and tool repair; welding and blacksmith services; furnace, boiler, tank and chimney maintenance and repair; sign manufacture and repair; mannequin service; and other similar services.

SEC. 890.2((6))4. CANOPY. A light roof-like structure, supported by the exterior wall of a building and on columns or wholly on columns, consisting of a fixed or movable frame covered with approved cloth, plastic or metal, extending over entrance doorways only, with the purpose of providing protection from sun and rain and embellishment of the facade, as further regulated in Sections 4505, 4506, 4508, and 5213 of the Building Code.

SEC. 890.25. CATERING SERVICES. A service use which involves the preparation and delivery of goods including the following items: food, beverages; balloons, flowers, party decorations and favors; or cigarettes/candy.

[Sections 890.27 through 890.36 are unchanged.]

SEC. 890.37. ENTERTAINMENT, OTHER. In the Chinatown Mixed Use Districts, ((A)) a retail use, other than adult entertainment, as defined in Section 890.36 of this Code, which provides live entertainment, including dramatic and musical performances, and/or operates as a dance hall which provides amplified taped music for dancing on the premises, including but not limited to those defined in Section 1060 of the Police Code. Other entertainment also includes a bowling alley, billiard parlor, shooting gallery, skating rink and other commercial recreational activity, but it excludes amusement game arcades, as defined in Section 890.4 of this Code and regulated in Section 1036 of the Police Code. For South of Market Districts, see Section 102.17.

SEC. 890.38. OPEN AIR SALES. A retail use involving open air sale of new and/or used merchandise, except vehicles, but including agricultural products, crafts and/or art work.

[Sections 890.39 through 890.51 are unchanged.]

SEC. 890.54. LIGHT MANUFACTURING, WHOLESALE SALES, STORAGE. A commercial use, including light manufacturing, wholesale sales, and storage, as defined in subsections (a), (b) and (c) below.

(a) **Light Manufacturing.** A non-retail use which provides for the fabrication or production of goods, by hand or machinery, for distribution to retailers or wholesalers for resale off the premises, primarily involving the assembly, packaging, repairing, or processing of previously prepared materials, when conducted in an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R district. Light manufacturing uses include production and custom activities usually involving individual or special design, or handiwork, such as the following fabrication or production activities defined by the Standard Industrial Classification Code Manual as light manufacturing uses:

- (1) Food processing, not including mechanized assembly line production of canned or bottled goods;
 - (2) Apparel and other garment products;
 - (3) Furniture and fixtures;
 - (4) Printing and publishing of books or newspapers;
 - (5) Leather products;
 - (6) Pottery;
 - (7) Glass blowing;
 - (8) Measuring, analyzing, and controlling instruments;
- photographic, medical and optical goods; watches and clocks.

It shall not include the chemical processing of materials or the use of any machine that has more than five horsepower capacity, nor shall the mechanical equipment required for the use, together with related floor space used primarily by the operators of such equipment, in aggregate occupy more than 1/4 of the total gross floor area of the use.

It shall ((be distinct and separate from)) not include a trade shop, as defined in Section 890.124 of this Code or a heavy industrial use as defined in Section 890.55 of this Code. It shall not include general or heavy manufacturing uses, not described in this Subsection (a).

(b) **Wholesale Sales.** A non-retail use which exclusively provides goods or commodities for resale or business use, including accessory storage. It shall not include a non-accessory storage warehouse.

(c) **Storage.** A commercial use which stores, within an enclosed building, household goods, contractors' equipment, building materials or goods or materials used by other businesses at other locations. This use shall not include the storage of waste, salvaged materials, automobiles, inflammable or highly combustible materials, and wholesale goods or commodities. This use shall include retail self-storage facilities for household goods.

SEC. 890.55. HEAVY INDUSTRIAL. An industrial use subject to Section 226(e) through (w) of this Code.

[Sections 890.56 through 890.68 are unchanged.]

SEC. 890.69. NON-AUTO VEHICLE SALES OR RENTAL. LIGHT AND MARINE VEHICLES ONLY. A retail use offering new or used bicycles, scooters, motorcycles, boats or other marine vehicles for sale, rent or lease when conducted entirely within an enclosed building.

[Sections 890.70 through 890.104 are unchanged.]

SEC. 890.106. SERVICE, ADMINISTRATIVE. A non-retail use, generally an office use, which provides executive, management, administrative, clerical and other services exclusively to the business community and not to the general public.

((Administrative services may include accessory storage, but not the storage of other items, other than samples for wholesale sale.))

It does not include services which are available to the general public. Administrative services may include accessory storage, but not the storage of building materials, contractor's equipment, or maintenance equipment for non-residential structures, or items, other than samples, for wholesale sale.

SEC. 890.108. SERVICE. ((BUSINESS OR)) PROFESSIONAL. A retail use, generally an office use, which provides ((general business or)) professional services to the general public or to other businesses including, but not limited to, architectural, accounting, legal, consulting, insurance, real estate brokerage, advertising agencies, public relations agencies, computer and data processing services, employment agencies, management consultants and other similar consultants, telephone message services, and travel services. Within the Chinatown Mixed Use Districts, ((T))this definition shall also apply to building, plumbing, electrical, painting, roofing, furnace or pest control contractors and storage of incidental equipment and supplies used by

them, if located entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of an R District, and if the storage of equipment and supplies does not occupy more than 2/3 of the total gross floor area of the use. No processing of building materials, such as mixing of concrete or heating of asphalt shall be conducted on the premises. Parking, loading and unloading of all vehicles used by the contractor shall be located entirely within the building containing the use.))

This use shall not include research services of an industrial or scientific nature in a commercial or medical laboratory, other than routine medical testing and analysis by a health-care professional or hospital.

SEC. 890.110. SERVICE, FINANCIAL. A retail use, generally an office use, which provides banking services and products to the public, such as banks, savings and loans, and credit unions, when occupying more than 15 feet of linear frontage or 200 square feet of gross floor area.

SEC. 890.111. SERVICE, BUSINESS. A service use including the following activities or providing the following services to businesses and/or to the general public: radio and television stations; news research, writing and editing; newspaper bureaus; magazine and trade publication publishing; desktop publishing; product testing laboratories; photographic library services; microfilm recording; slide duplicating; bulk mail services; parcel shipping services; parcel labeling and packaging services; messenger delivery/courier services; sign painting and lettering services; building maintenance services.

[Section 890.112 is unchanged.]

SEC. 890.114. SERVICE, MEDICAL. A retail use, generally an office use, which provides medical and allied health services to the individual by physicians, surgeons, dentists, podiatrists, psychologists, psychiatrists, acupuncturists, chiropractors, or any other health-care professionals when licensed by a State-sanctioned Board overseeing the provision of medically-oriented services. It includes a clinic, primarily providing outpatient care in medical, psychiatric or other health services, and not part of a hospital or medical center, as defined in Section 890.44 of this Code.

SEC. 890.116. SERVICE, PERSONAL. A retail use which provides grooming services to the individual, including salons, cosmetic services, tattoo parlors, and health spas, or instructional services not certified by the State Educational Agency, such as art, dance, exercise, martial arts, and music classes, except that in the South of Market Districts, arts activities falling within Section 102.2 shall not be considered personal services.

(Sections 890.118 and 890.122 are unchanged.)

SEC. 890.124. TRADE SHOP. A retail service use which provides custom-crafted goods and/or services for sale directly to the consumer, reserving some storefront space for display and retail service; if conducted within an enclosed building having no openings other than fixed windows or exits required by law located within 50 feet of any R District. A trade shop includes, but is not limited to:

- (a) Repair of personal apparel, accessories, household goods, appliances, furniture and similar items, but excluding repair of motor vehicles and structures;
- (b) Upholstery services;
- (c) Carpentry;
- (d) Printing of a minor processing nature, including multicopy and blueprinting services, but excluding printing of books or newspapers, other than pamphlets and small reports;
- (e) Tailoring; and
- (f) Other artisan craft uses, including fine arts uses.

Within the South of Market Districts, arts activities falling within Section 102.2 shall not be considered trade shops.

(g) Within South of Market Districts, this use shall include the offices of building, plumbing, electrical, painting, roofing, furnace or pest control contractors and storage of incidental equipment and supplies used by them, if located entirely within an enclosed building having no openings other than fixed windows or exits required by law within 50 feet of an R District, and if the storage of equipment and supplies does not occupy more than 2/3 of the total gross floor area of the use. No processing of building materials, such as mixing of concrete or heating of asphalt shall be conducted on the premises. Parking, loading and unloading of all vehicles used by the contractor shall be located entirely within the building containing the use.

Within the Chinatown Mixed Use Districts, ((I))it does not include any shops which uses a single machine of more than five horsepower capacity, or a shop in which the mechanical equipment, together with related floor space used primarily by the operators of such equipment, occupies in the aggregate more than 1/3 of the total gross floor area of the use. A trade shop is distinct from light manufacturing, as defined in Section 890.54(a) of this Code.

SEC. 890.130. USE SIZE (NONRESIDENTIAL). The permitted gross floor area allowed each individual nonresidential use. "Gross floor area" is defined in Section 102.((8))2 of this Code.

SEC. 890.131. VEHICLE STORAGE, OPEN LOT. A use which provides for the storage of buses, recreational vehicles, mobile homes, trailers or boats and/or storage for more than 72 hours of other vehicles on an open lot. It shall not include rooftop storage.

SEC. 890.132. VEHICLE STORAGE, ENCLOSED LOT STRUCTURE. A use which provides for the storage of buses, recreational vehicles, mobile homes, trailers or boats and/or storage for more than 72 hours of other vehicles in an enclosed lot or structure. It shall not include rooftop storage.

[Section 890.140 is unchanged.]

SEC. 899. OTHER APPLICABLE SECTIONS OF THE CITY PLANNING CODE.

((Reference should be made to other)) Sections outside this Article ((which)) also apply to Mixed Use Districts. ((These))Such sections and their titles are listed below. The following listing is set forth for convenience; in the event of any omission from the list or conflict with other provisions of this Code, the remainder of the Code shall govern.

General Provisions

Section 101	Purposes
<u>Section 101.1</u>	<u>Master Plan Consistency and Implementation</u>
Section 109	Severability

Definitions

Sections 102--102.2((4))8 Definitions

Zoning Map

Section 105	Zoning Map
Section 106	Zoning Map Incorporated Herein

Building Standards

Section 122	Height and Bulk
<u>Section 124</u>	<u>Basic Floor Area Ratio</u>
<u>Section 128</u>	<u>Transfer of Development Rights in C-3 Districts</u>
Section 250	Height and Bulk Districts Established
Section 251	Height and Bulk Districts -- Purpose
Section 252	Classes of Height and Bulk Districts
<u>Section 253</u>	<u>Review of Buildings Exceeding 40 Feet in R Districts</u>
Section 260	Height Limits -- Method of Measurement
Section 262	Additional Height Limits -- Applicable to Signs
<u>Section 263</u>	<u>Height Limits: Special Exceptions</u>
Section 270	Bulk Limits --- Measurement
Section 271	Bulk Limits -- Special Exceptions
<u>Section 295</u>	<u>Height Restrictions on Structures Shadowing Property Under the Jurisdiction of the Recreation and Park Commission</u>

Section 121	Minimum Lot Width
Section 130	Yard and Setback Requirements
Section 131	Legislated Setback Line
Section 134	Rear Yard Requirements
Sections 135-135.3	Usable Open Space
Section 136	Obstructions Over Streets and Alleys
Section 140	All Dwelling Units to Face on Open Area
Section 141	Screening of Rooftop Features
Section 142	Screening of Parking Areas
Section 143	Street Trees
Section 147	Reduction of Shadows on Certain Public Open Spaces
Parking	
Section 150	Off-street Parking and Loading Requirements
Section 151	Schedule of Required Off-Street Parking Spaces
Section 152	Schedule of Required Off-Street Freight Loading Spaces
Section 153	Rules for Calculation of Required Spaces
Section 154	Minimum Dimensions for Required Off-street Parking and Loading Spaces
Section 155	General Standards as to Location and Arrangement of Off-((s))Street Parking and Loading Spaces
Section 156	Parking Lots
Section 157	Conditional Use Applications for Parking Exceeding Accessory Amounts
Section 159	Required Off-Street Parking Not on the Same Lot as Structure or Use Served
Section 160	Collective Provision and Joint Use of Required Off-Street Parking
Section 161	Exemptions from Off-Street Parking, Freight Loading
Section 163	Transportation Management Programs
Signs	
Sections 602--602.21	Definitions
Section 603	Exemptions
Section 604	Permits and Conformity
Section 606	Residential Districts
Section 607.2	((Commercial and Industrial Districts))Mixed Use Districts
Sections 608--608.1	Special Sign Districts
Section 609	Amortization Period
Uses	
Section 201	Classes of Use Districts
Section 202	Uses Permitted By This Code
Section 203	Effect on Certain Public Services
Section 204	Accessory Uses, General
Section 204.1	Accessory Uses for Dwellings in R Districts
Section 204.4	Dwelling Units Accessory to Other Uses
Section 204.5	Parking and Loading as Accessory Uses
Sections 205--205.((2))3	Temporary Uses
Section 207	Density of Dwelling Units in R Districts
Section 207.1	Rules for Calculation of Dwelling Unit Densities
Section 207.5	Density of Dwelling Units in Mixed Use Districts

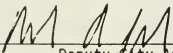
<u>Section 208</u>	<u>Density Limitations for Group Housing</u>
<u>Section 210</u>	<u>Description and Purpose of Commercial and Industrial Districts</u>
<u>Section 233</u>	<u>Additional Provisions For Live/Work Units</u>
<u>Section 234.2</u>	<u>Conditional Uses, P Districts</u>
Section 235	Special Use Districts
Section 236	Garment Shop Special Use District
Article 10	Preservation of Historical, Architectural and Aesthetic Landmarks (Inclusive)
Section 1106	Article 11 Change of Designation, Designation of Additional Buildings
Procedures	
Section 301	General Description
Section 302	Amendments
Section*303	Conditional Uses
<u>Section 304</u>	<u>Planned Unit Developments</u>
Section 304.5	Institutional Master Plans
Section 305	Variances
Sections 306--306.8	Applications and Hearings
Section 307	Other Powers and Duties of the Zoning Administrator
Sections 308--308.2	Appeals
Fees	
Article 3.5	Fees (Inclusive)
Compliance	
Section 170	Applicability of Requirements
Section 171	Compliance of Uses Required
Section 172	Compliance of Structures, Open Spaces, and Off-Street Parking and Loading
Section 173	Compliance of Lots Required
Section 174	Compliance with Conditions, Stipulations, and Special Restrictions
Section 175	Approval of Permits
Section 176	Enforcement Against Violations
<u>Section 178</u>	<u>Conditional Uses</u>
Section 180	Nonconforming Uses, Noncomplying Structures, and Substandard Lots
Section 181	Nonconforming Uses: Enlargements, Alterations, or Reconstruction
Section 182	Nonconforming Uses: Changes of Use
Section 183	Nonconforming Uses: Discontinuance and Abandonment
Section 184	Short-term Continuance of Certain Nonconforming Uses
<u>Section 185</u>	<u>Continuance of Other Nonconforming Uses</u>
Section 186	Exemption of Limited Commercial Nonconforming Uses
Section 187	Garment Shops and Garment Factories as Nonconforming Uses
Section 188	Noncomplying Structures: Enlargements, Alterations and Reconstruction

SEC. 899.1. SUNSET CLAUSE. (a) All amendments to this Code made by Ordinance No. (this ordinance), whether additions, deletions, modifications or renumbering, except for amendments to Sections 810.10, 810.19, 811.10, 811.19, 812.10 and 812.19, shall remain in effect only until the date twelve months after the effective date of Ordinance No. (this ordinance) and, except for amendments to Sections 810.10, 810.19, 811.10, 811.19, 812.10 and 812.19, shall be repealed as of that date, together with this Section. The Clerk of the Board of Supervisors shall effect said repeal by eliminating from this Code all amendments made by Ordinance No. (this ordinance), except those to Sections 810.10, 810.19, 811.10, 811.19, 812.10 and 812.19 and except to the extent such amendments have been re-enacted by subsequent legislation which has itself not been repealed.

(Sections 1001 through 1124 are unchanged.)

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By



Deputy City Attorney

PROPOSED ZONING MAP AMENDMENTS

SOUTH OF MARKET



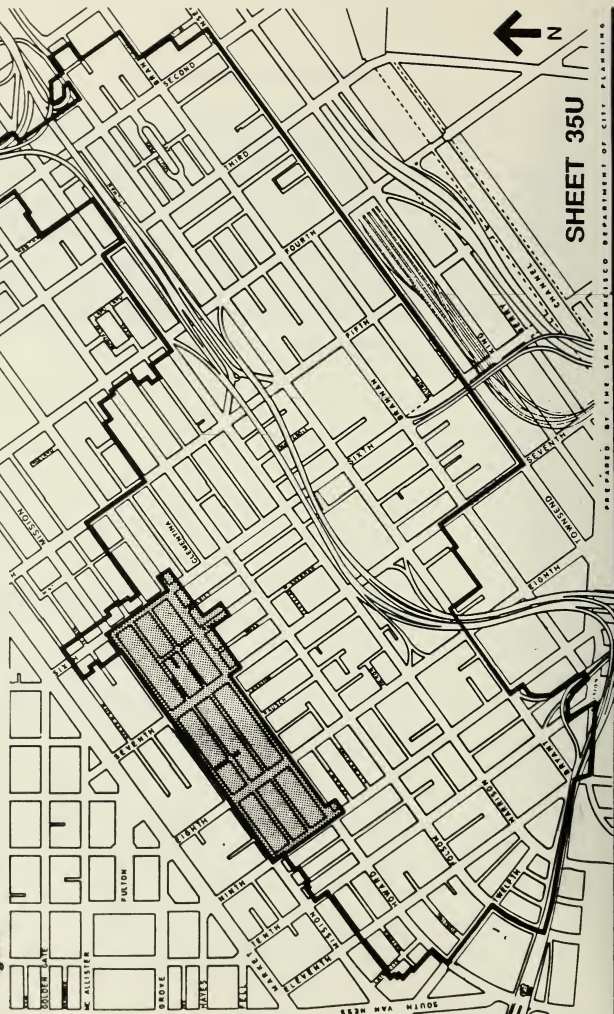
-  Base District
-  Extended Preservation District
- September 1988

Figure 1



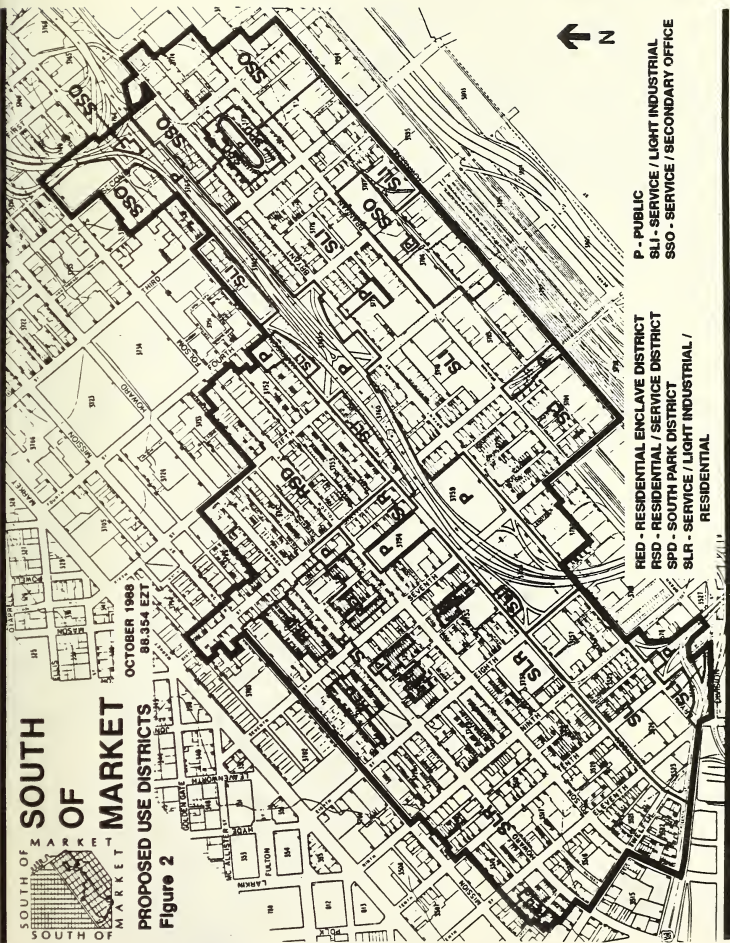
SHEET 35U

PREPARED BY THE SAN FRANCISCO DEPARTMENT OF CITY PLANNING

SOUTH OF MARKET

PROPOSED USE DISTRICTS
Figure 2

OCTOBER 1988
88-354 EZT



P - PUBLIC
SLJ - SERVICE / LIGHT INDUSTRIAL
SSO - SERVICE / SECONDARY OFFICE

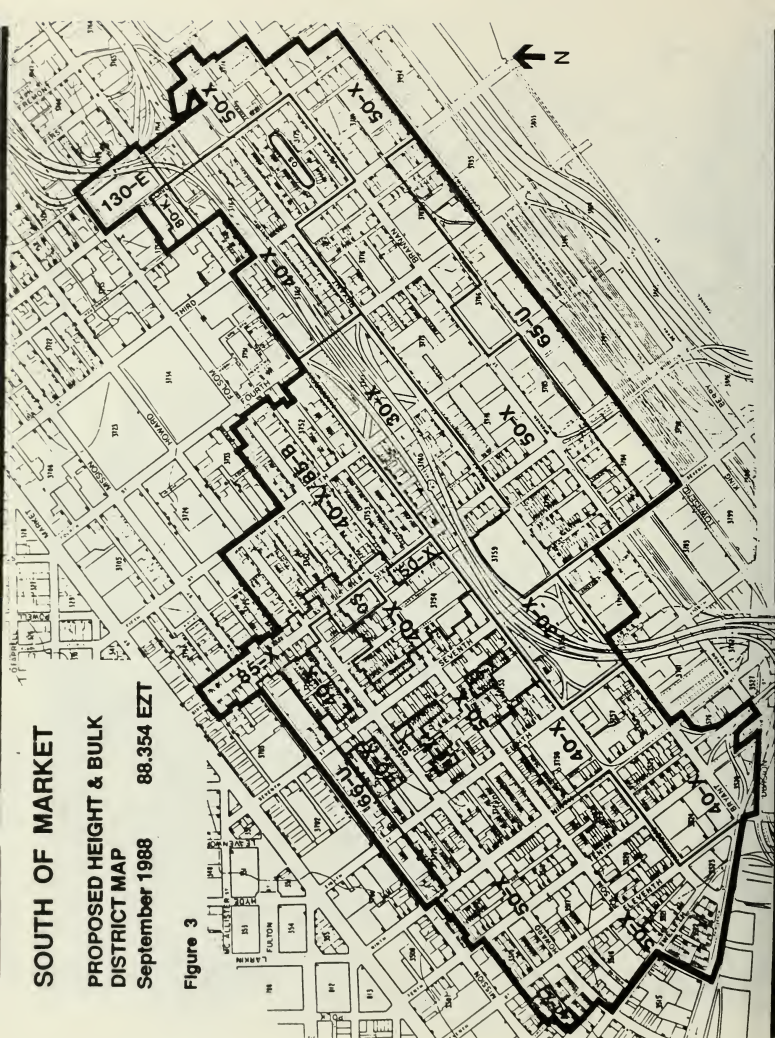
RED - RESIDENTIAL ENCLAVE DISTRICT
RSD - RESIDENTIAL / SERVICE DISTRICT
SPD - SOUTH PARK DISTRICT
SLR - SERVICE / LIGHT INDUSTRIAL /
RESIDENTIAL

PROPOSED HEIGHT & BULK

September 1988

88.354 EZT

Figure 3



SOUTH OF MARKET ZONING CONTROLS
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(SCM:51, SCM:52, SCM:131,
SCM162)

ACCO-PRESS®

25070	YELLOW
25071	BLACK
25072	LIGHT BLUE
25073	DARK BLUE
25074	LIGHT GREEN
25075	LIGHT OLIVE
25076	DARK GREEN
25077	TANGERINE
25078	RED
25079	EXECUTIVE RED

WITH WATER RESISTANT

PRESSTEX

COVERS



ACCO INTERNATIONAL INC.
CHICAGO, ILLINOIS 60601

